

Theodore D. Schade  
Air Pollution Control Officer



## **GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT**

157 Short Street, Bishop, California 93514-3537  
Tel: 760-872-8211 E-mail: tschade@gbuapcd.org

July 5, 2012

Mr. James N. Goldstene  
Executive Officer  
California Air Resources Board  
P.O. Box 2815  
Sacramento, California 95812

Subject: Impact of Truck and Bus Regulation on California's Eastern Sierra

Dear Mr. Goldstene:

On May 24, 2012 the Great Basin Unified Air Pollution Control District Governing Board held a workshop regarding the California Air Resources Board's Truck and Bus Regulation (13 CCR section 2025). The Board would like to thank Mr. Tony Brasil from CARB's Mobile Source Control Division for his presentation to the Board, as well as for his patience and understanding of the situation faced by District businesses and government agencies.

Based on concerns voiced by District business owners and the government agencies that make up the District Board (Alpine, Inyo and Mono Counties and the Town of Mammoth Lakes), the Board believes it is important for CARB to understand the impact of the Truck and Bus Regulation on Eastern Sierra businesses and governments. The Great Basin Air Pollution Control District encompasses three of California's most rural counties. The District is nearly 14,000 square miles in size (larger than the nine smallest U.S. States, up to and including Maryland), yet it has a population of less than 34,000 people. Although District residents are subjected to some vehicular air pollution, our low population density and lack of any high-traffic transportation corridors (there are no interstate highways or railroad tracks within the District), mean that diesel emissions air pollution is simply not a significant threat to our air quality. As you know, Great Basin's air quality challenges are different, if not unique, from the challenges faced by other air pollution control agencies in the state. Although much of the District enjoys excellent air quality, anthropogenic fugitive dust emissions, winter wood-heating smoke and icy road traction-control cinder dust are the air pollution sources that prevent some areas of the District from being in attainment with the state and federal air quality standards. Diesel emissions are not a meaningful component of the air quality problems we face.

Because of the District's rural character and the lack of significant diesel emissions air pollution, the Governing Board is concerned about the impacts of the Truck and Bus Regulation on the economic viability of our small businesses and government agencies. The current poor financial

conditions, which have hit our tourist-based economies especially hard, will make it difficult or impossible for many District businesses and all government agencies to comply with the Regulation. This could mean the closing of important local businesses and the loss of important government services.

The Great Basin APCD is home to the highest, lowest, hottest and, sometimes, coldest public roads in the state. There is concern among our fleet operators regarding the ability of the currently-available required diesel particulate filters (DPFs) to function at the high altitudes and extreme temperature conditions found within the District. The District believes CARB should require equipment manufacturers to test their devices in the extreme environments found in our District. Devices that work in Los Angeles, the Bay Area and Sacramento could have operational and maintenance difficulties in our remote areas and extreme conditions.

CARB's certification and subsequent decertification of some of the DPFs makes it very difficult for small fleets to make the best possible economic decisions. Owners that purchased devices that subsequently lost certification have spent hard-earned money on devices that now do not work and could find themselves in violation of the Regulation, through no fault of their own. These owners must receive some relief.

Because the District is home to only small fleet owners and operators, they are sometimes confused by the current requirements, reporting obligations and the status of certified devices. In addition, these owners/operators may be unaware of any technical or financial assistance that may be available to them. Both advance and ongoing outreach, specifically targeted to our remote, rural communities, is important if CARB expects the fleets in these areas to comply with the Regulation.

The Great Basin Governing Board asks CARB to take the following actions to assist District diesel fleet owners and operators in complying with the Truck and Bus Regulation:

- Designate Inyo and Mono Counties as NOx exempt areas. This will give local fleet owners additional time to comply with the Regulation. Although CARB designated Great Basin's Alpine County as a NOx exempt county, there is no justification for not including Inyo and Mono Counties on the exempt list. Their diesel emissions are certainly far less than those in most of the other exempt counties.
- Consider a Regulation modification that would provide for "compliance by attrition" for rural small businesses and government agencies. New equipment should certainly comply with the Regulation, but rural businesses and governments often have equipment that they are forced by economics to keep for many years. Wholesale fleet changeovers cannot occur within the decade or so provided in the Regulation. They need more time.
- Support efforts to secure financial assistance in the form of grants and low-interest loans to assist small business owners and small government agencies with the cost of compliance.
- Provide targeted outreach to assist fleet owner/operators and make them aware of both the requirements and any available assistance.
- Commit to more rigorous testing of control devices. Assume that operators in remote rural areas with both extreme operating conditions and reduced maintenance budgets are

going to be harder on their equipment than large-fleet operators in urban areas. The devices should be designed for more demanding conditions.

- Provide longer-term relief and/or financial assistance to fleets that tried to do the right thing and ended up with uncertified or poorly operating equipment.

The District appreciates everything the Air Resources Board is doing to clean California's air. We only ask that it remember California's rural areas face different needs and challenges from the state's more populated areas. Please let us know if we can be of any assistance.

Sincerely,



Theodore D. Schade, P.E.  
Air Pollution Control Officer

Mary Nichols, CARB Board Chair  
Erik White, CARB Mobile Source Control Division  
Judith J. Friedman, CARB Compliance Assistance and Outreach  
Tony Brasil, CARB Heavy Duty Diesel Implementation  
Lee Brown, California Construction Trucking Association



**GLENN COUNTY  
AIR POLLUTION CONTROL  
DISTRICT**

Willows Memorial Hall, 2<sup>nd</sup> Floor  
525 West Sycamore Street, Suite B1  
Willows, CA 95988

John Viegas  
Dwight Foltz  
Steve Soerh  
Mike Murray  
Leigh McDaniel

(530) 934-6400

FAX: (530) 934-6419

June 11, 2013

Mary Nichols, Chairman  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95812

RE: Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants from In-Use On-Road Diesel Fueled Vehicles

Dear Chairman Nichols:

The Governing Board of the Glenn County Air Pollution Control District (Board) requests the California Air Resources Board (CARB) consider the following comments regarding the CARB's Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles. The Board supports CARB's efforts to reduce public exposure to air pollutants and complying with Federal State Implementation Plan commitments while addressing the economic impacts on the regulated community.

The elected Board serves in multiple capacities, which include examining and studying State and Federal air quality regulations that affect Glenn County, its departments, and its citizens. Many residents and small business owners have spoken with various Board members and have voiced grave concerns regarding their future in the trucking industry. All are in favor of improving air quality and would prefer to drive newer trucks, but are unable to afford them.

Glenn County is located in the heart of the Sacramento Valley and has an economy largely based around the agricultural community. The population of Glenn County is slightly over 29,000 and the two incorporated cities, Willows and Orland, are bisected by Interstate 5 with over 1,000 farms and approximately 500,000 farmed acres. The Board has received many passionate requests to consider a more pragmatic approach toward diesel regulation compliance deadlines, which appear quite Draconian to small businesses in this rural region.

In April 2013, the California Air Pollution Control Officers Association (CAPCOA) released the following 2012 information in their California's Progress Toward Clean Air Report: Glenn County had zero "Unhealthy" and 335 "Good" AQI days, zero days exceeding the 2008 Ozone Standard, and one day exceeding the PM<sub>2.5</sub> Standard. Also, the American Lung Association's 2013 State of the Air Report gave Glenn County an "A" rating for its air quality. Please note that Glenn County has great air quality despite having Interstate 5 (with approximately 25,000 Average Annual Daily Traffic rate) bisect the county just over one mile from our CARB run air quality monitor.

As is true with the upcoming In-Use Off-Road Mobile Agricultural Equipment Regulation (Ag Equipment Rule), a "one size fits all" approach is not feasible for On-Road truck operators in rural agricultural areas of good air quality. The Board is confident that compromises are possible. Using CARB's own justification for delaying the Ag Equipment Rule, using near-term rulemaking, which could be submitted

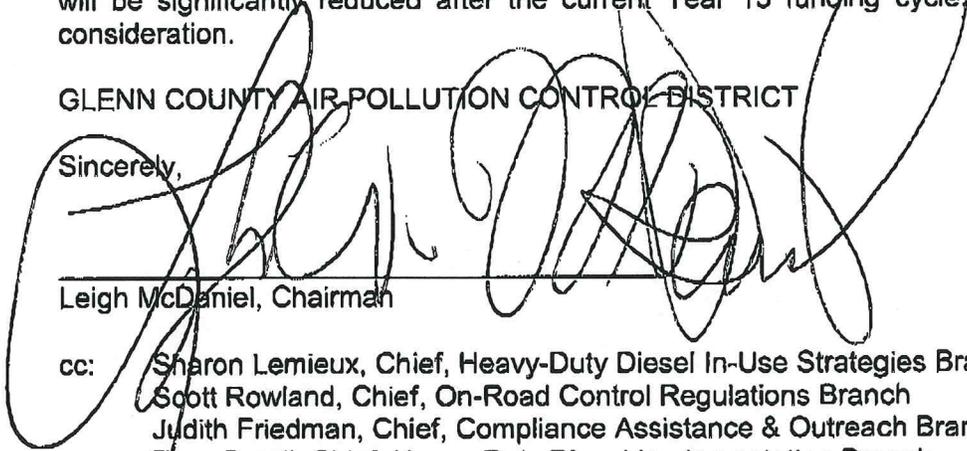
to the Board in early 2014, should focus on fully accounting for the voluntary actions by the agricultural and trucking industry to reduce emissions through attrition and their participation in incentive funding programs that accelerate the use of the cleanest available technology equipment. To this tone, the Board makes the following suggestions regarding the Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants from In-Use On-Road Diesel Fueled Vehicles:

- **Re-open the agricultural vehicle provisions approval period and increase the maximum number of trucks that can be approved above the 2,200 truck limit statewide.** There are more than 1,000 farming entities in Glenn County and as you are likely aware, over 81,000 statewide.
- **Increase the low-use vehicle threshold from 1,000 miles and 100 hours.** Even if the cap is raised in Attainment Areas/NOx exempt areas only, the reductions "lost" are minimal. The replacement and/or retrofitting of low-use trucks will never be cost-effective or a good business model.
- **Increase and improve the outreach to the affected community.** There is a general consensus among air quality staff statewide that the methods of complying with this regulation (and others) are difficult to decipher. Please dispel widespread myths often spread between operators, share more information on grants and loans, and summarize CARB's plan for enforcement.

Finally, additional grant opportunities need to be made consistently available statewide to assist in funding more required retrofits and equipment turnovers. Small and rural Districts are not financially able to provide significant match funds for grant programs. The Glenn County Air Pollution Control District receives the minimum allotment of \$180,000 for Carl Moyer Program Projects and as per the program guidelines, most local on-road trucks cannot qualify for grant funding. Although Glenn County does not have a heavy duty truck dealer, an increase in grant funding available for the Voucher Incentive Program (VIP Program) would be greatly appreciated. Please note that unless extended by the State legislature and signed by the governor, grant opportunities through the Carl Moyer Program will be significantly reduced after the current Year 15 funding cycle. Thank you for your time and consideration.

GLENN COUNTY AIR POLLUTION CONTROL DISTRICT

Sincerely,

  
\_\_\_\_\_  
Leigh McDaniel, Chairman

cc: Sharon Lemieux, Chief, Heavy-Duty Diesel In-Use Strategies Branch  
Scott Rowland, Chief, On-Road Control Regulations Branch  
Judith Friedman, Chief, Compliance Assistance & Outreach Branch  
Tony Brasil, Chief, Heavy Duty Diesel Implementation Branch  
Jim Donnelly, Air Pollution Control Officer, Glenn County Air Pollution Control District  
Dan Logue, Assemblyman  
Jim Nielsen, Senator  
Jerry Brown, Governor of the State of California



# BOARD OF SUPERVISORS

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25 COUNTY CENTER DRIVE, SUITE 200 - OROVILLE, CALIFORNIA 95965  
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June 25, 2013

The Honorable Jerry Brown  
Governor, State of California  
State Capitol, Suite 1173  
Sacramento, CA 95814

**RE: Truck and Bus Regulation Timeline Extension**

Dear Governor Brown:

The purpose of this letter is to respectfully request a meeting in order to discuss the unintended economic consequences creating dire hardship in the transportation industry. According to local transportation industry advocates, Californians are closing their businesses right now or moving out of the state due to the California Air Resources Board (CARB) Truck and Bus Regulation. The local advocates feel that only you can stop the bleeding in the economy that is underway and will continue to get worse in 2014-2016, at the peril of the transportation industry, and have asked the Butte County Board of Supervisors to encourage you to consider some of the recommendations below.

In response to local requests, the Butte County Board of Supervisors supports the following action items that can easily be implemented to amend the Truck and Bus Regulations governed by the CARB.

**1. One state regulation should require equal funding throughout the state of California for on/off road equipment.**

Compliance is unaffordable for expensive upgrades or new trucks. Many businesses do not qualify for funding programs available, such as Proposition 1B funds or Carl Moyer grants, due to the fact that a portion of transportation routes are not within the major corridors of San Joaquin, Bay Area, Los Angeles, and San Diego. To comply, a business owner would need to invest a minimum of \$16,000 for a particulate matter (PM) trap or \$140,000 per vehicle or trailer to be in compliance. During an economic contraction, this is a heavy cost to bear and many companies do not have sufficient cash flow to finance new vehicles, nor assurance that the company could remain in business during the life of the loan. In addition, it is difficult to receive an equipment loan for PM traps as most lenders do not recognize PM traps as depreciable assets. Finally, used vehicles that are more affordable to small business are not available until lease terms end in 2015-2016. Currently, small business has no choice but to buy new vehicles, which they cannot afford.

**2. Allow time for CARB to collaborate with the other branches of the CA Environmental Protection Agency to assess the unintended consequences created by the Truck and Bus**

**Regulation. CARB should also ensure collaboration with the California Energy Commission as the regulation is actually increasing greenhouse gases, particulate matter, and hazardous materials in the greater supply chain. The air quality regulations are making greenhouse gas emissions grow, for example:**

- a. Mining finite precious metals to replace perfectly good equipment and vehicles.
- b. High heat manufacturing processes of new parts and vehicles for Selective Catalytic Reduction (SCR) and PM traps are very energy intensive and create higher CO2 emissions.
- c. Global transportation of PM filters and SCR increases CO2, NOx, and particulate matter.
- d. Charging stations double electricity costs for business owners and emit indirect greenhouse gases of CO2.
- e. Annual maintenance of PM traps burns soot in a kiln, releases the NOx during this process, and takes over 700 degrees to clean the filter, which creates a demand for more electricity and increases greenhouse gases.
- f. CA businesses are selling noncompliant parts and equipment to competitors out of state at a fraction of what the resale value is. The pollution in other states is still polluting California air. Pollution doesn't know jurisdictional boundaries.
- g. Destruction of motors creates hazardous waste material instead of refurbishing these precious metals. The state is asking business owners to scrap or sell equipment that is completely usable for decades to come. There is no plan to recycle and refurbish these and it is the responsibility of the state to responsibly dispose of salvageable vehicles and parts.
- h. Truck tractors now require urea tanks. The manufacturing of urea is a high heat process and must also manufacture ionized water at over 1200 degrees Celsius . In addition, another global supply chain has been created. Ammonia emission should be studied for driver safety in the truck cab as well increasing ozone in the atmosphere. Urea does reduce NOx, but converts NOx to methane and carbon dioxide as the new offgas. Methane is a more dangerous greenhouse gas than NOx. Ammonia emissions will also create more ozone.

**3. Market driven technologies are not realized quickly, efficiently, or effectively. The process to bring technology to market prohibits the free market to determine a product's price based on supply and demand. Allow more time to allow competition to drive market demand and manufacturers to innovate new solutions.**

Currently, when CARB approves a device they are choosing losers and winners. Compliance is reliant on purchasing equipment and vehicles only manufactured by a small percentage of companies. CARB is prohibiting free market economics to allow prices to fall based on supply and demand. The process for a device to be approved by CARB takes too long and is extremely cost prohibitive. Businesses that need to purchase parts or new trucks and trailers to be compliant are beholden to high prices as there aren't enough competitors in the market. CARB

could take an “all of the above” approach to machinery that reduces particulate matter and NOx by allowing the process to be faster and affordable and allows innovation to get to market. Market driven technologies will lower prices, which then drives proactive decision making based on environmental and economic value.

**4. Delay the compliance dates to 2023 for trucking companies for the following reasons:**

- a. The latest reports from the local Air Quality Management Districts, as discussed in the CAPCOA report in April 2013, indicate that all regions in California have reduced bad air days for PM2.5 and ozone. It appears that the state is making very good progress.
- b. Economic recovery is slower than originally projected when the regulatory timelines were drafted in 2007, and amended in 2010. Companies that are in compliance with the phase-in schedule are paying off loans through 2014-2017 and cannot absorb new loan payments or additional investment into future compliance.
- c. California’s unemployment rate has fallen to 10.7%, but does not account for the workers that are underemployed, working part-time, or are simply no longer actively seeking employment. Rural areas continue to lag toward recovery.
- d. Small fleets, defined as one to three truck tractors, cannot afford to purchase particulate matter traps or new trucks. Used vehicles with 2010 engines will begin entering the market in 2015-2016, which will be the most affordable option for small fleet owners. Most small fleet owners are required to purchase a 2010 engine as truck tractors are normally more than 20-years old.
- e. New technologies entering the market reduce NOx and PM2.5. Delaying the timeline will allow the market to test these new technologies for quality and durability. Delaying the timeline will ensure companies are not forced to purchase equipment with high failure and maintenance rates.
- f. CARB should consider an “all of the above strategy” to allow new technologies to be sold on the market quickly. The time delay and cost to a manufacturer to seek CARB approval takes too long and is cost prohibitive. Due to the regulation, sales of parts/vehicles/trailers are limited to certain manufacturers. Instead of prices falling due to increased competitors on the market, prices continue to rise since 2008. CARB is ensuring winners and losers in the free market.

There are many other solutions that could be considered to improve the regulation, including but not limited to:

1. CARB could focus efforts in high-priority areas such as San Joaquin, LA Basin, San Diego and the Bay Area. According to the CAPCOA report, PM2.5 and Ozone are reduced throughout the state. The CARB has already exempted Alpine, Del Norte, Modoc, and Mono for NOx emission controls. The entire North State should also be exempted, due to smaller populations, clean air, and communities that are frequently ineligible for funding.
2. Allow small business to upgrade to new 2010 diesel engine according to the new natural life cycle a business would reinvest in newer equipment - compliance through attrition. The accelerated timelines for the phase-in schedule are not viable in these economic conditions.

3. Allow flexibility in the regulation to consider the efforts of the business to manage for sustainability and offer incentive credits. All companies manage efficiencies and focus on health and safety. When a business manages for sustainability they are achieving positive environmental impacts, such as conserving water and energy, reducing pollutants and hazardous waste, and providing raw materials through recycling. When a business offers wellness programs, health benefits, sick and vacation leave, they are also improving the quality of life of the employee and his or her family. Incentives work.
4. Allow flexibility to recognize innovation and ingenuity from the business community. Many companies are investing in alternative gas and electric vehicles or hybrid technology. Give credits and/or exemptions to companies that are employing new technologies not currently permitted for compliance, such as natural gas, propane fuel, alternative low carbon fuels, hydrogen, and hybrid or electric vehicles.
5. Allow further extensions for companies that have already been working toward compliance in accordance with CARB's phase-in schedule. Offer additional incentives or timeline extensions to recognize the significant financial investment into being proactive. This will be a win-win to everyone.

In conclusion, delaying the timeline to 2023 will enable business to invest in growth strategies rather than invest in compliance. Growing businesses will provide long-term economic benefits to the state, and companies can reinvest in new equipment on a natural attrition cycle. We cannot afford our trucking industry to become dominated by national chains, out of state, or foreign companies. These family businesses want to remain in business in California. Most important, these businesses want to remain in business.

We respectfully request that you contact Supervisor Larry Wahl to arrange a time to meet with local representatives to discuss the proposals contained in this letter and to better understand why a "one size fits all" approach is detrimental to our region's smaller businesses. Supervisor Wahl's office phone number is (530) 891-0685 and his e-mail is lwahl@buttecounty.net.

Sincerely,

Bill Connelly, Chair  
Butte County Board of Supervisors

cc: Members, Butte County Board of Supervisors  
The Honorable Brian Dahle, Member of California State Assembly  
The Honorable Dan Logue, Member of California State Assembly  
The Honorable Jim Nielsen, Member of California State Senate  
Paul Yoder, Strategic Local Government Services, LLC  
California State Association of Counties (CSAC)  
Rural County Representatives of California (RCRC)  
Members, California Air Resources Board  
California Air Quality Management and Air Pollution Control District Governing Boards  
CalTrans

Valley Contractor's Exchange  
CA Farm Bureau  
CA Transportation Association  
Owner Operator Independent Driver Association

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Thomas A. Indrieri, DISTRICT II,  
VICE-CHAIR  
Mark D. Marshall, DISTRICT III  
Gary J. Evans, District IV, CHAIR  
Denise J. Carter, DISTRICT V,  
CHAIR



COUNTY OF COLUSA  
BOARD OF SUPERVISORS

Board Chambers  
547 Market Street, Suite 102  
Colusa, CA 95932  
(530) 458-0508  
[cocolusa@countyofcolusa.org](mailto:cocolusa@countyofcolusa.org)

July 30, 2013

The Honorable Jerry Brown  
Governor, State of California  
State Capitol, Suite 1173 Sacramento, CA 95814

RE: Truck and Bus Regulation Timeline Extension

Dear Governor Brown:

The purpose of this letter is to respectfully request a meeting in order to discuss the unintended economic consequences creating dire hardship in the transportation industry. According to local transportation industry advocates, Californians are closing their businesses right now or moving out of the state due to the California Air Resources Board (CARB) Truck and Bus Regulation. The local advocates feel that only you can stop the bleeding in the economy that is underway and will continue to get worse in 2014-2016, at the peril of the transportation industry, and have asked the Colusa County Board of Supervisors to encourage you to consider some of the recommendations below.

In response to local requests, the Colusa County Board of Supervisors supports the following action items that can easily be implemented to amend the Truck and Bus Regulations governed by the CARB.

1. One state regulation should require equal funding throughout the state of California for on/off road equipment.
2. Allow time for CARB to collaborate with the other branches of the CA Environmental Protection Agency to assess the unintended consequences created by the Truck and Bus Regulation. CARB should also ensure collaboration with the California Energy Commission as the regulation is actually increasing greenhouse gases, particulate matter, and hazardous materials in the greater supply chain. The air quality regulations are making greenhouse gas emissions grow, for example:
3. Market driven technologies are not realized quickly, efficiently, or effectively. The process to bring technology to market prohibits the free market to determine a product's price based on supply and demand. Allow more time to allow competition to drive market demand and manufacturers to innovate new solutions.

4. Delay the compliance dates to 2023 for trucking companies for the following reasons:

There are many other solutions that could be considered to improve the regulation, including but not limited to:

1. CARB could focus efforts in high-priority areas such as San Joaquin, LA Basin, San Diego and the Bay Area. According to the CAPCOA report, PM2.5 and Ozone are reduced throughout the state. The CARB has already exempted Alpine, Del Norte, Modoc, and Mono for NOx emission controls. **The entire North State should also be exempted, due to smaller populations, clean air, and communities that are frequently ineligible for funding.**
2. Allow small business to upgrade to new 2010 diesel engine according to the new natural life cycle a business would reinvest in newer equipment – compliance through attrition. The accelerated timelines for the phase-in schedule are not viable in these economic conditions.
3. Allow flexibility in the regulation to consider the efforts of the business to manage for sustainability and offer incentive credits. All companies manage efficiencies and focus on health and safety. When a business manages for sustainability they are achieving positive environmental impacts, such as conserving water and energy, reducing pollutants and hazardous waste, and providing raw materials through recycling. When a business offers wellness programs, health benefits, sick and vacation leave, they are also improving the quality of life of the employee and his or her family. Incentives work.
4. Allow flexibility to recognize innovation and ingenuity from the business community. Many companies are investing in alternative gas and electric vehicles or hybrid technology. Give credits and/or exemptions to companies that are employing new technologies not currently permitted for compliance, such as natural gas, propane fuel, alternative low carbon fuels, hydrogen, and hybrid or electric vehicles.
5. Allow further extensions for companies that have already been working toward compliance in accordance with CARB's phase-in schedule. Offer additional incentives or timeline extensions to recognize the significant financial investment into being proactive. This will be a win-win to everyone.

In conclusion, delaying the timeline to 2023 will enable business to invest in growth strategies rather than invest in compliance. Growing businesses will provide long-term economic benefits to the state, and companies can reinvest in new equipment on a natural attrition cycle. We cannot afford our trucking industry to become dominated by national chains, out of state, or foreign companies. These family businesses want to remain in business in California. Most important, these businesses want to remain in business.

We respectfully request that you contact Supervisor Tom Indrieri to arrange a time to meet with local representatives to discuss the proposals contained in this letter and to better understand why a "one size fits all" approach is detrimental to our region's smaller

businesses. Supervisor Indrieri can be reached at 530-300-6039 or via email at [findrieri@countyofcolusa.org](mailto:findrieri@countyofcolusa.org)

Sincerely,



Denise Carter, Chair  
Colusa County Board of Supervisors

cc:

The Honorable Brian Dahle, Member of California State Assembly  
The Honorable Dan Logue, Member of California State Assembly  
The Honorable Jim Nielsen, Member of California State Senate  
California State Association of Counties (CSAC)  
Rural County Representatives of California (RCRC)  
Members, California Air Resources Board  
California Air Quality Management and Air Pollution Control District Governing Boards  
CalTrans  
CA Farm Bureau  
CA Transportation Association  
Owner Operator Independent Driver Association



# Shasta County

## AIR POLLUTION CONTROL BOARD

Administration  
1450 Court Street, Suite 308B  
Redding, California 96001  
(530) 225-5557

David Kehoe, Member  
Leonard Moty, Member  
Les Baugh, Member  
Debe Hopkins, Member  
Missy McArthur, Member

August 6, 2013

Mary D. Nichols  
Chairman  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812

Subject: On-Road In-Use Diesel Regulation

Dear Chairman Nichols:

The Shasta County Air Pollution Control Board is concerned about the impact of the Air Resources Board's Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles on all businesses utilizing trucks within the district.

This On-Road In-Use Diesel regulation was originally adopted by your board in December of 2008. After numerous updates and public hearings, this regulation became effective in December, 2011. This regulation requires that most fleets of heavy-duty diesel trucks within Shasta County demonstrate compliance with the engine and retrofit requirements beginning January 1, 2014.

To ease the financial hardship that this regulation is bringing on truck owners, your board has authorized incentive funding for truck upgrades in the form of Proposition 1B funds and Carl Moyer funds. Unfortunately, the Shasta County Air Quality Management District is specifically excluded from 1B funds by law and the short implementation time of the regulation makes the Carl Moyer funding not cost-effective.

The one area where our district will be able to utilize a reasonable amount of incentive funding is the TIMBER program for log trucks and our board is very grateful for this funding. Unfortunately, the large number of dump trucks, mixers, flatbed, single-engine cranes, and other construction and service trucks have not been able to obtain grant funding. The financial hardship on our local trucking industry will only worsen as fleets from the transportation corridors that have utilized 1B funds arrive in Shasta County and squeeze out local fleets.

Since Shasta County remains in compliance with all federal Ambient Air Quality Standards and is very nearly in attainment with state Ambient Air Quality Standards, the benefit the citizens of Shasta County will see from the tremendous expense to individuals and the local economy of implementing this regulation will be minimal. Our board is well aware that for every grant program

On-Road In-Use Diesel Regulation

August 6, 2013

Page 2 of 2

there is a corresponding tax and that additional taxes and grants will not make this regulation more tolerable. We are asking the Air Resources Board to consider the following common-sense amendments to this regulation:

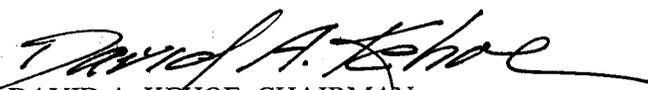
1. Re-open the agricultural vehicle provisions approval period and increase the maximum number of trucks that can be approved.
2. Re-open the Low mileage Construction Truck provisions approval period and increase the allowable mileage to 20,000 miles/year for all trucks in this category.
3. Increase the low-use vehicle threshold from 1,000 miles and 100 hours. Raising the low-use cap in Attainment/NOx exempt areas will create only minimal emissions and allow low use vehicles some reasonable opportunity to provide an owner a living.

In addition to the above improvements, your board should take action to delay the compliance date of January 1, 2014 to January 1, 2023. This action, while critical for rural California, would benefit the economy of the entire state. All areas of California have seen reductions in air pollution over the last three years. This improvement in air quality has occurred in spite of coinciding with a period of increased economic activity. The requirements of this rule are so deleterious to the financial health of small business truckers that it will threaten the continuing economic improvement in California to the point of actually reversing air quality improvements that have come with recent growth by requiring continual utilization of out of area fleets.

Delaying the implementation of this rule at least within rural California in areas that are not subject to emission reductions prescribed by State Implementation Plans will provide these areas with a chance for continued economic growth. The small fleets that are common in rural California cannot afford to purchase particulate filters or new trucks. By delaying the implementation date of this rule, used vehicles with 2010 engines will begin entering the market by 2015-2016 and these will be the best option for small fleets to begin compliance with the rule. Right now, these fleets have to essentially buy new trucks. Lower mileage construction trucks are probably the most demanding application for retrofit particulate filters and are often disqualified for use based on data logging of exhaust temperature. Delaying the compliance date of this regulation will reduce the failure rate of engines and retrofit devices by allowing the filter technology to improve.

The Shasta County Air Pollution Control Board has worked productively with the California Air Resources Board in the past as continued improvements in air quality have demonstrated. We ask that you consider the economic impacts to our Air District that will result from the aggressive implementation schedule in the Truck and Bus Rule. Thank you for your consideration.

Very truly yours,



DAVID A. KEHOE, CHAIRMAN  
Air Pollution Control Board  
County of Shasta

C: Senator Jim Nielson, Assemblyman Brian Dahle  
Richard Corey, Executive Officer, California Air Resources Board

CC:

Senator Ted Gaines  
State Capitol, Room 3070  
Sacramento, CA 95814

Cyndi Hillery  
Rural County Representatives of California (RCRC)  
1215 K Street, Suite 1650  
Sacramento, CA 95814

# SACRAMENTO VALLEY

## BASINWIDE AIR POLLUTION CONTROL COUNCIL

Chair	Vice-Chair							
Butte	Colusa	Feather River	Glenn	Placer	Sacramento	Shasta	Tehama	Yolo-Solano

October 4, 2013

Mary Nichols, Chairman  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95812

Dear Chairman Nichols:

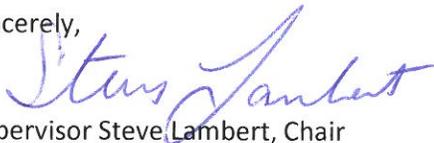
The Sacramento Valley Basinwide Air Pollution Control Council (BCC) wishes to thank the California Air Resources Board (CARB) for the staff presentation on the state Truck and Bus regulation at our September 6<sup>th</sup> meeting in Marysville. The meeting provided a public forum for CARB to present information on the regulation and to hear comments and concerns from the BCC and public. Several truck operators reported reliability problems with the particulate matter filters, increased fuel usage and loss of power.

We continue to be concerned about the upcoming January 1<sup>st</sup> deadline affecting small fleet owners. The BCC requests CARB consider comments previously submitted to your office and the Governor by both county and air district Boards from the Sacramento Valley Air Basin (see attached) and take action at your October 24-25<sup>th</sup> meeting by directing your staff to develop amendments to mitigate the impacts to fleet owners. In particular, the BCC requests CARB consider delaying compliance deadlines to 2023 for small fleet owners. Short of that, CARB must:

1. Reopen the agricultural vehicle provisions approval period and increase the maximum number of trucks that can be approved;
2. Reopen the low mileage construction truck provisions approval period and increase the allowable mileage to 20,000 miles per year for all trucks in this category;
3. Improve and increase outreach to the Sacramento Valley Air Basin due to the extreme complexity of the regulation. One commenter at our September 6<sup>th</sup> meeting asked CARB staff to come to our communities and meet one-on-one with fleet operators on individual compliance issues;
4. Provide more grant funding options to assist small fleet operators, especially for individual truck owners with subpar credit.

If you have any questions regarding this correspondence please contact Jim Wagoner, Air Pollution Control Officer of the Butte County Air Quality Management District at (530) 332-9400.

Sincerely,



Supervisor Steve Lambert, Chair  
Sacramento Valley Basinwide Air Pollution Control Council

Attachments: Letter from the Butte County Board of Supervisors dated June 25, 2013  
Letter from the Colusa County Board of Supervisors dated July 30, 2013  
Letter from the Glenn County Air Pollution Control District dated June 11, 2013  
Letter from the Shasta County Air Pollution Control Board dated August 6, 2013  
Letter from the Tehama County Air Pollution Control District dated August 27, 2013

cc: The Honorable Jerry Brown, Governor, State of California  
The Honorable Jim Nielsen, Member of the California State Senate  
The Honorable Dan Logue, Member of the California State Assembly  
Governing Boards of the Sacramento Valley Basin Air Districts  
Board members, California Air Resources Board  
Richard Corey, Executive Officer, California Air Resources Board  
Alberto Ayala, Deputy Executive Officer, California Air Resources Board  
Erik White, Chief, Mobile Source Operations Division, California Air Resources Board



# CALAVERAS COUNTY

## AIR POLLUTION CONTROL BOARD

891 Mountain Ranch Road

San Andreas, California 95249

(209) 754-6370

FAX (209) 754-6733

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October 8, 2013

The Honorable Jerry Brown  
Governor, State of California  
State Capitol, Suite 1173  
Sacramento, CA 95814

Subject: Truck and Bus On-Road In-Use Regulation

Governor Brown,

The Calaveras County Air Pollution Control Board (Board) wants you to consider the unintended economic consequences from the Air Resources Board's (ARB) Regulation to reduce emissions of diesel from in-use heavy-duty diesel-filled vehicles on all businesses utilizing trucks within Calaveras County.

The Calaveras County Air Pollution Control District (District) has been contacted by local owner-operators who have expressed their concerns regarding their future. Though industry is in favor of improving air quality, most rural businesses do not have the means to purchase new trucks or, install particulate filters. For small fleet owners common in our District, the purchase of a \$20,000 particulate filter, or \$120,000 new engine and cab, without financial assistance, will be devastating to their business.

Our District administers the Carl Moyer Program. This is an effective tool in assisting industry in retrofitting and/or replacing diesel engines, however restrictions in the Moyer Guidelines limit applicants in qualifying for grant funding as a result of older trucks having lower mileage or hours of use. Mileage, not necessarily age, directly effects the amount of grant funding that can be made available. The other significant concern is associated with the close deadline of the upgrade regulation.

The Board is requesting that ARB provide short term relief to rural areas. We want ARB to consider amendments to this regulation that could include:

1. Re-opening the agricultural vehicle provisions approval period and increase the maximum number of trucks that can be approved.
2. Re-opening the Low Mileage Construction Truck provisions approval period and increase the allowable mileage to 20,000 miles/year for all trucks in this category.
3. Increasing the low-use vehicle threshold from 1,000 miles and 100 hours. Raising the low-use cap in Attainment/NOx exempt areas will create only minimal emissions and allow low use vehicle owner-operators a reasonable opportunity to be successful.

Cliff Edson  
District 1  
754-6370

Chris Wright  
District 2  
304-3729

Merita Callaway  
District 3  
728-3800

Debbie Ponte  
District 4  
754-6370

Darren Spellman  
District 5  
786-4585



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In addition, we request action be taken to delay the compliance date of January 1, 2014 to January 1, 2023. This action is critical for rural California, and would benefit the economy of the entire state.

Please consider the economic impacts to our District, and others that will result from the current implementation schedule in the Truck and Bus Rule.



Merita Callaway, Chair

CC: Lori Norton, County Administrative Officer  
Brian S. Moss, APCO  
Congressman Tom McClintock  
Assemblyman Frank Bigelow  
Senator Leland Yee  
Mary Pitto, RCRC  
Karen Keene, CSAC  
Calaveras County Farm Bureau  
California Air Resources Board, Mary Nichols  
Kenneth Koyama CAPCOA

Cliff Edson  
District 1  
754-6370

Chris Wright  
District 2  
304-3729

Merita Callaway  
District 3  
728-3800

Debbie Ponte  
District 4  
754-6370

Darren Spellman  
District 5  
786-4585