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April 21, 2009

**VIA ELECTRONIC SUBMITTAL**

Clerk of the Board  
California Air Resources Board  
1001 I St.  
Sacramento, CA 95814

Re: **AB 118-AQIP**

Dear Sir or Madam –

Enclosed are comments that the Outdoor Power Equipment Institute (OPEI) is filing on the proposed Air Quality Improvement Act (AQIP) which the Board is considering at its upcoming April 23-24 hearing. OPEI represents the manufacturers of forestry, lawn and garden equipment including utility vehicles. OPEI's membership includes manufacturers of efficient, clean, advanced technologies, including solar, hybrids, fuel cells, battery-powered and ultra-low emitting gasoline and diesel engines.

**I. EXPANDING SCOPE OF LAWN AND GARDEN EQUIPMENT REPLACEMENT PROGRAM (LGER)**

OPEI appreciates CARB's stated goal of encouraging the development of dramatically cleaner, **commercial** lawn and garden equipment. However, CARB recognizes that its proposed program would currently only apply to **residential** cordless electric lawnmowers – given the

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capacity/power constraints with products that exclusively rely on batteries. In order to maximize the potential emission benefits, OPEI encourages CARB to expand the scope of the proposed LGER project to include other types of clean technologies and not to limit that program to cordless zero-emission equipment. Commercial products that are powered by any clean technology that achieves dramatic and cost-effective emission reductions should be eligible. This should include: 1) gasoline products that meet CARB's stringent Blue Sky Criteria; 2) alternative fueled products (such as propane or LPG); and 3) hybrid technologies (such as electric-battery capacitors or hydraulic-accumulators).

CARB should work to support and expand the existing successful "scrappage" programs currently being implemented by local air districts. For example, CARB should expand its eligibility criteria to ensure that successful programs like the longstanding SCAQMD blower "scrappage" program can receive funds under the AB 118 program. Under that program, the South Coast Air Quality Management District (SCAQMD) awarded (in 2008) up to \$266,925 to Pacific Stihl to exchange up to 1,500 used backpack leafblowers with new, Stihl Model BR 500 backpack blowers. The Stihl BR500 model has been certified at 19 grams per kilowatt hour. (CARB's applicable Blue Sky limit for this category is 36 grams). This represents a 73.6% reduction from the current Tier II standards, and roughly 95% reduction from the prior Tier I

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standards.<sup>1</sup> The SCAQMD estimates the cost-effectiveness of the Stihl blower-exchange at \$.71 per pound of additional reductions.

OPEI urges CARB to develop flexible “cost-effective” criteria to evaluate the broadest array of potential programs – in lieu of excluding certain beneficial programs by targeting only cordless products.

SCAQMD and other air quality districts require any participating manufacturer to surrender their positive ABT emission credits associated with their super-clean equipment that is offered under the rebate program. This means that, under any rebate program, the value of the subsidized rebate from public funds needs to exceed the value of surrendered ABT credits. Otherwise, there would be an economic disincentive for manufacturers to surrender their ABT credits and participate in these rebate programs.

## **II. CARB SHOULD SCALE THE SIZE OF THE LGER REBATE TO THE PRODUCT’S RETAIL PRICE**

For the proposed agricultural UTV project, CARB has appropriately linked the size of the rebate to 15% of the UTV’s MSRP, up to \$2,500 per vehicle. CARB projects that this rebate amount should correspond to about half the eligible vehicle incremental cost above “baseline” products. OPEI strongly supports the UTV program as proposed.

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<sup>1</sup> Some of the older replaced blowers would be CARB Tier I products – with an applicable standard of 180 or 220 grams of HC and NOx per brake-horsepower hour (g/b – HP/hr). The newer, replaced products would be CARB-II compliant, which would meet the current emission limit of 54 grams of HC and NOx per b/HP-hour or 72 grams per kilowatt hour.

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No similar scaling is provided for the LGER project. Instead, the LGER project assumes a rebate of up to \$250 for an electric residential lawn mower that (according to CARB) costs up to \$300 each. A \$250 rebate represents a substantial incentive for a residential lawnmower that sells for \$300. It does not provide a meaningful incentive for commercial products that may sell for more than \$10,000.

CARB should provide greater flexibility in the criteria for proposed programs that involve more expensive commercial products. In order to determine which proposed projects are most cost-effective, CARB should develop criteria that consider the following factors. First, the delta in mass emissions from the replaced product compared to the new subsidized, clean product. Second, the number of hours that the old and new products will be used. Under certain cases, CARB or a local air quality district could generate greater overall emission benefits by spending \$2,500 on replacing a single commercial mower – compared to spending the same total amount for replacing 10 residential lawnmowers at \$250 per unit. For example, assuming similar emission performance, an old, 20 HP gasoline commercial riding product may emit four times the mass emissions (per hour of use) compared to an old 5 HP lawnmower. Moreover, the commercial mowing equipment may be used 400 times more total hours over its lifetime compared to a residential lawnmower.<sup>2</sup> Thus, the total emission reductions from replacing

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<sup>2</sup> This assumes the residential cordless lawnmower is only used 125 hours and the commercial mowing equipment is used 5,000 hours.

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certain old, commercial mowing equipment could be 1600 times (4x400) greater than the lifetime total emissions of replacing an old residential lawnmower.

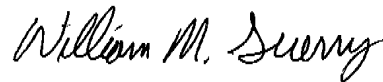
**III. CARB SHOULD SERVE AS THE CENTRAL POINT OF CONTACT TO FACILITATE THE DEVELOPMENT OF INDIVIDUAL PROJECTS**

According to CARB's proposed UTV and LGER programs, local air districts or other public entities would submit a request for funding and administer the funded project. It is unclear how either an air district would identify appropriate products, or how interested manufacturers of clean products would identify and initiate a dialogue with a potentially interested air quality district to develop an ideal proposal. CARB should serve as the link between interested lawn equipment and UTV air quality districts and interested manufacturers. OPEI recommends that CARB designate an official at CARB for interested manufacturers to contact for the UTV and lawn equipment programs.

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On behalf of OPEI, I appreciate the opportunity to submit these comments.

Sincerely,



William M. Guerry  
Counsel to OPEI

WMG:kab