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May 24, 2007

Dr. Robert Sawyer, Chairman
California Air Resources Board
PO Box 2815
Sacramento, CA 95812
Re: California Air Resources Board Proposed Rule Change

Dear Mr. Sawyer:

I am the founder and president of a 28 year old family owned and operated union grading, paving, concrete and underground utilities company. I conduct my business throughout the central valley.

My business started with one dozer and myself. Through a lot of hard work and sacrifice I currently employ over 150 union workers and have over 150 pieces of equipment.

I have been following with great interest and concern the California Air Resources Board's (CARB) development of new rules for off-road diesel-powered construction equipment. I am writing to ask for your assistance on matters that will have a great negative impact on the State's construction industry.

As a family man who has children and grandchildren born and raised in the San Joaquin Valley, I am aware of and interested in the air quality problem. Rules to address this problem are inevitable and important.

Through various meetings hosted by CARB and discussions with fellow contractors and heavy equipment dealers, I have learned of draft rules that are universally considered unworkable in the heavy construction industry.

The industry is in such a state of confusion with no clear-cut answers for a person like me with a large fleet of older equipment. Even though I have tried to update my equipment over the years, I find myself in a potential non-compliant situation. To buy all new equipment is not an option for me. Engine replacements are expensive and I'm learning that dealers won't guarantee compliance on engine replacements. I have applied to participate in a funded air quality assistance program; however, I'm told that funds have already been depleted.

I am asking that you please take the time to consider the position the people in the construction industry like me have been put into. We have no clear-cut answers. What we do have is a lot of concerns and worries about our future.

Thank you in advance for your assistance on this very important matter.

Sincerely,

John Emmett

John Emmett, President

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