



San Joaquin Valley

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May 4, 2007

Ms. Catherine Witherspoon
Executive Officer
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812.

Re: Rulemaking to Consider the Adoption of a Proposed
Regulation for In-Use Off-Road Diesel Vehicles

Dear Ms. Witherspoon,

The San Joaquin Valley Air Pollution Control District (District) commends the Air Resources Board (ARB) on your efforts to reduce emissions of particulate matter (PM) through the proposed regulation for in-use off-road diesel vehicles. From the perspective of reducing PM emissions and the associated effects on human health, the District endorses the proposed regulation for in-use off-road sources.

The District believes, however, that the proposed regulation does not go far enough in reducing emissions of nitrogen oxides (NOx). For the San Joaquin Valley to attain the federal ozone standard, valleywide NOx emissions must be reduced by approximately 75% from the 2005 level. The proposed regulation combined with fleet turnover is expected to reduce NOx emissions by only about 61% from the 2005 level.

The off-road diesel category is one of the largest sources of NOx in the San Joaquin Valley. If NOx is not sufficiently reduced from the Valley's largest NOx sources, it will be impossible for the Valley to attain the federal ozone standard, since the foregone reductions cannot be made up by smaller categories.

Furthermore, the long useful lives of heavy duty diesel engines, and the fact that ARB will likely not get another chance to significantly impact this source category in the next ten years make it imperative to set the most rigorous standards possible in this proposed regulation. A high percentage reduction target should be achievable for in-use off-road diesel equipment, since many of these units emit at uncontrolled levels.

The District believes that the proposed regulation for in-use off-road diesel equipment could be strengthened by making the fleet requirements more stringent, both in terms of compliance schedules and fleet averages. The ARB must strengthen the proposed regulation to assure that the 75% NOx reduction goal will be achieved as soon as possible, and should also do the following:

1. Increase the stringency for large fleets, specifically for the larger horsepower ranges starting from 175 HP engines.
2. For large fleets with 40% Tier 0 and Tier 1 equipment, increase the turnover rate from 8% to 15% per year.
3. Require that engines used for repower be Tier 3 or higher,
4. Require that engines in purchased pre-owned equipment meet Tier 3 standards or higher.
5. Remove the exemption for Tier 1 or higher engines from turnover requirements.
6. Apply the most stringent requirements to fleets in air basins upwind of serious (or worse) ozone nonattainment areas. The exemption for captive fleets in attainment areas must not apply to fleets in air basins upwind of serious (or worse) ozone nonattainment areas.

In closing, let me state that ARB must propose the most aggressive regulation possible for this category for both NOx and PM reductions. Please call Scott Nester, the District's Planning Director, should you have any questions.

Respectfully,



Seyed Sadredin
Executive Director/Air Pollution Control Officer