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May 11, 2007

Board of Directors
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

RE: Off-Road Diesel Regulations – Construction Equipment

Dear Board Members,

This is in response to the drafted Off-Road Diesel Regulations you are considering adopting for the construction industry. I have several concerns and complaints I am hoping you'll reconsider before adopting these regulations.

Before I start let me state I understand and even agree that the construction equipment can be cleaner and we need to do something to clean it up. I guess my biggest complaint is the time line and the speed in which the change over to cleaner equipment is being forced on to us.

I work with a small union construction firm (family owned) where we already suffer low profits due to the intense competition. With the current housing market slow down competition is getting even worse because the number of contractors bidding on work has increased. What profits we earn are slim.

Please consider these items:

- The time line to change over the fleet is too harsh with the completion time being too short. Which means a lot of money will be needed to buy new equipment over a short period of time. Money I simply do not have. **Please extend the timeline.**
- The manufactures, like the auto industry, should be forced to do these changes in the coming models as well as retrofitting existing equipment.
- More programs should be available to help the industry make the change. This is a big industry with a lot of small businesses (family businesses) that just make a living and don't have a lot of money to make the change over.
- There is not enough retro or new equipment that exists to meet the standards and there is little on the horizon. Where there is some equipment available it is very expensive and not well proven yet.

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- There is not enough technology for some of your requirements and the prospects do not look good enough to put the burden on us. Why burden small business with this? Why not the manufacturer? They make the profits and serve a much larger market than just California.
- Why make our fleet, in many cases our only assets, valueless overnight with timelines that eliminate the equipment. We need better retro-fitting equipment. And we need to be allowed to use that retrofitting equipment in place for the life of the existing equipment. **Please allow retrofitting of the existing fleet for the remaining life of the existing equipment.**

You should know I have been at two of your hearings/workshops and very much feel we were ignored by most the CARB people there. As proof you can see the regulations, as proposed, have taken little of our needs into consideration. **Please reconsider these regulations.**

Well I wanted to keep this to one page, short so you might read it and hopefully reconsider these regulations. But this is too important to our livelihood, time and money are greatly needed, please and we are appealing to you.

Sincerely,

Les Davies
Albert W. Davies, Inc.

Rebecca Davies

Rebecca A. Davies
Albert W. Davies, Inc.