EO 11-29 WTS

JK PEDROTTI.
GOVERNMENT RELATIONS

November 17, 2006

Ms. Catherine Witherspoon
Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95812

Dear Ms. Witherspoon,

On behalf of my client, Golden State Builder's Exchange, a group comprised of 29 individual builder's exchanges throughout California representing approximately 20,000 construction related businesses, I am writing to state concern with the PERP regulation that prohibits further use of unregistered and non-permitted portable engines after December 31, 2005 until they are replaced with BACT (Tier 2 or Tier 3 engines). My client was just made aware of the proposed fees and fines for violations of the program to be considered on November 20 which in their opinion is unfair and punitive.

We believe that the PERP program should be opened up to allow for equipment registration that meets emission reduction program requirements, perhaps with a reasonable late fee assessment. To block the registration of equipment of the over 50% of portable diesel engines, who have failed to registered in the program in 2005 is counterproductive to the goal of reducing particulate emissions.

Most small, minority, and family owned businesses owners are unaware of or only vaguely familiar with the CARB program to register and regulate their engines. Also, these owners have little in common with the "affected large industries" that your Board directed staff and CAPCOA to coordinate the PERP amendments with. To require them to replace their portable engines, and in many cases the equipment they power, before they can legally use them would be extremely difficult and disruptive.

It is urged that you consider these many small operators before making any final decisions on this matter.

Sincerely,

J. Kevin Pedrotti

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