

September 3, 2009

Clerk of the Board
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

Members of the Air Resources Board:

The North American Power Sweeping Association – California Chapter (NAPSA-CA) again appreciates the public opportunity to respond to the proposed On-Road Diesel Engine Emission Rule

NAPSA-CA wants to be sure that these comments are recognized as only specific comments to the Notice of Public Availability of Modified Text (August 19, 2009) and in no way is an endorsement of the disastrous On-Road Diesel Engine Rule.

The financial feasibility studies for our industry to comply that were previously submitted, continue to be valid and ominous.

NAPSA-CA continues to believe the various diesel rules are not justified, based on established norms for validating scientific study. Further, the draconian economic result is irresponsible considering the stated goals will be met by 2023 with or without this rule, and possibly many years sooner based on the current economy.

Specific problems with modified text:

1] Section 2025 (e) General Requirements (7) ..one of the following is required for all fleet owners to utilize the BACT percent limit option...

Street sweepers are not a motor vehicle used to transport property for-hire or compensation. Therefore they are not required to or permitted to have a CA or Motor Carrier Permit number. In fact, in order to receive a CA number for a street sweeper, the vehicle owner would have to perjure themselves on the application. (DMV 706 MCP)

Not having a CA number, unfairly prohibits street sweepers from utilizing this option for compliance.

2] Section 2025 (r) Reporting (7) Owner Contact Information

For the same reason listed above, suggest adding the words "if applicable" to C):
C) Motor carrier identification number (if applicable)

3] Section 2025 (y) ARB Certificate of Reported Compliance

For the same reason listed above. Street Sweeper fleets will be unable to be listed on the Compliance Web Site, due to their lack of a Motor Carrier Number. This unfairly labels all streets sweepers as non-compliant, simply because they can not lawfully obtain a Motor Carrier Number.

I first urge the Board to scrap this entire rule and watch the immediate jump in economic activity and the drop in unemployment. Baring that outcome, please consider allowing the street sweeping industry to utilize all the compliance options available to other industries.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Carter". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark Carter
NAPSA CA Vice Chairman