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December 10, 2008

Clerk of the Board
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

Subject: Crane Owners' Comments on the Two-Engine Crane Proposal

Mary D. Nichols, Chair and Board Members:

On behalf of the Mobile Crane Operators Group (MCOG) and the Crane Owners Association (COA), collectively the "Crane Owners," we are pleased to submit the following comments for consideration in the adoption of the two-engine crane provisions as part of the Proposed Regulation for In-Use On-Road Diesel Vehicles

The Crane Owners appreciate the staff's willingness to work with the crane industry. We support the adoption of the two-engine crane provisions that are part of this rulemaking package. Specifically, we request that the amendments to the Off-road Rule, PERP program, Portable ATCM, and Cargo Handling Rule be adopted without delay during the December Board meeting, even if adoption of the On-Road Rule is delayed. Due to upcoming compliance deadlines in the various rules, the crane owners must know with certainty which rule applies to each of their diesel engines in order to make the appropriate compliance decisions over the next 12 months.

The crane owners note, however, that the staff has not yet developed any guidance pertaining to the non-availability of specialty vehicles. The staff committed to issuing this guidance as part of implementation of the Off-road Rule. As currently written, the specialty vehicle exemption from mandatory turnover requirements entails a case-by-case decision by the Executive Officer as to whether a used and cleaner replacement vehicle is "available." Without significant clarification of this single word, "available," crane owners are in the dark as to whether this exemption will or will not be granted. Depending on the staff's interpretation, a crane owner may still be forced to retire a million-dollar machine and import a replacement crane from halfway around the world, regardless of cost or cost-effectiveness. We have already provided the staff with data showing that a single crane with all of its appurtenances can require up to 12 flatbed trucks to transport. Also, transporting and repainting a crane, obtaining necessary certifications, and re-training an operator are activities that potentially result in emissions of criteria and toxic pollutants, as well as greenhouse gases, that are not accounted for in the regulation.

But again, we would like to convey our overall support for the two-engine crane provisions, with the caveat that the staff provides the specialty vehicle implementation guidance, and that such guidance does not require unreasonable or cost ineffective turnover of our cranes.

Sincerely,

A handwritten signature in cursive script that reads "Allan Daly".

Allan Daly

cc: Michael Vlaming, Crane Owners Association
Seth Hammond, Mobile Crane Operators Group