

## **Comment 1 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Luis

Last Name: Cabrales

Email Address: [luis@coalitionforcleanair.org](mailto:luis@coalitionforcleanair.org)

Affiliation: Coalition for Clean Air

Subject: Comments regarding the proposed amendments to the CHE regulation

Comment:

We, the undersigned, are writing to you on behalf of COALITION FOR CLEAN AIR (CCA), NATURAL RESOURCES DEFENSE COUNSEL NRDC), EAST YARD COMMUNITIES FOR ENVIRONMENTAL JUSTICE (EYCEJ) and MEDICAL ADVOCATES FOR HEALTHY AIR (MAHA) and our thousands of California members regarding our concerns with the most recent proposed regulatory amendments to the Cargo Handling Equipment (CHE) regulation of 2005.

Please find our comments attached.

Attachment: [www.arb.ca.gov/lists/cargo11/2-che\\_reg\\_amendments\\_comments\\_082311.doc](http://www.arb.ca.gov/lists/cargo11/2-che_reg_amendments_comments_082311.doc)

Original File Name: CHE Reg amendments Comments\_082311.doc

Date and Time Comment Was Submitted: 2011-08-23 16:59:49

No Duplicates.

**Comment 2 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Stephen

Last Name: Clark

Email Address: [steve.clark@ssamarine.com](mailto:steve.clark@ssamarine.com)

Affiliation: SSAT

Subject: Comments on CHE

Comment:

Comments on Amendments to the Regulation for Mobile Cargo Handling  
Equipment at Ports and Intermodal Rail Yards

Attachment: [www.arb.ca.gov/lists/cargo11/3-5083.pdf](http://www.arb.ca.gov/lists/cargo11/3-5083.pdf)

Original File Name: 5083.pdf

Date and Time Comment Was Submitted: 2011-08-29 13:38:28

No Duplicates.

**Comment 3 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Craig

Last Name: Kappe

Email Address: Non-web submitted comment

Affiliation:

Subject: Metropolitan Stevedore Company

Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/cargo11/4-craig\\_kappe.pdf](http://www.arb.ca.gov/lists/cargo11/4-craig_kappe.pdf)

Original File Name: Craig Kappe.pdf

Date and Time Comment Was Submitted: 2011-09-06 09:19:29

No Duplicates.

**Comment 4 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Randal

Last Name: Friedman

Email Address: Randal.Friedman@navy.mil

Affiliation:

Subject: CARGO HANDLING AMENDMENT COMMENTS

Comment:

Attached please find our comments.

Attachment: [www.arb.ca.gov/lists/cargo11/5-dod\\_che\\_ltr\\_8sep11.pdf](http://www.arb.ca.gov/lists/cargo11/5-dod_che_ltr_8sep11.pdf)

Original File Name: DoD CHE ltr 8Sep11.PDF

Date and Time Comment Was Submitted: 2011-09-12 14:35:41

No Duplicates.

## **Comment 5 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Vincent  
Last Name: Lamaestra  
Email Address: vlamaestra@pmanet.org  
Affiliation: Pacific maritime Association

Subject: Coments concerning : CARB Board meeting to adopt Amendments to the Regulation for Mobile C

Comment:

Attached are Pacific Maritime Association comments on the Proposed Amendments to the Regulations for California's Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards; Section 2479, Title 1, California Code of Regulations. Please include our comment with the other public comments previously submitted.

Regards

Vincent Lamaestra  
Assistant Coast Director Accident Prevention and Security  
Pacific Marrisime Association

Attachment: [www.arb.ca.gov/lists/cargo11/6-carb\\_comments\\_on\\_proposed\\_amendment\\_for\\_septmeber\\_22\\_meeting.doc](http://www.arb.ca.gov/lists/cargo11/6-carb_comments_on_proposed_amendment_for_septmeber_22_meeting.doc)

Original File Name: CARB Comments on Proposed Amendment for Septmeber 22 meeting.doc

Date and Time Comment Was Submitted: 2011-09-19 09:24:42

No Duplicates.

## **Comment 6 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Robert  
Last Name: Clark  
Email Address: robert\_clark@apl.com  
Affiliation: APL

Subject: APL/Eagle Marine response to the Proposed Amendments to CA Mobile CHE @ Ports & IRY

Comment:

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

Re: APL/Eagle Marine response to the Proposed Amendments to California's Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards Regulation

APL/Eagle Marine conducts cargo handling operations at the Port of Los Angeles and the Port of Oakland. As such, we are regulated by the Mobile Cargo Handling Equipment regulations. In anticipation of CARB's September 22nd and 23rd Public Hearing to consider amendments to this regulation we would like to provide you with our written comments in regards to the Proposed Amendments to California's Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards Regulation.

1. Additional time for equipment with no VDECS available.

An extension for equipment with no VDECS available would serve us well, allowing time for issues such identifying technology that does not have premature regeneration problems and issues associated with the VDECS such as burned out glow plugs and other electrical issues.

2. Require CHE opacity testing and set maximum allowable levels.

VDEC problems are due to VDECS's being intolerant of our duty cycles, not opacity levels. APL/Eagle Marine keeps the engines of all equipment well tuned for optimum fuel efficiency. It is not in the best interest of our company to have engine gasses upstream of the VDECS because the VDECS would suffer a greater load and a shorter run time would surely result. This proposal increases costs and is superfluous.

3. Allow demonstration of emissions equivalency.

If an older engine performs at a level that meets all the current, specific emissions requirements it should be afforded the same acceptability as a new machine that carries a "Tier IV" label. This is a common sense approach to rule making.

4. Add a safety provision for VDECS.

It is our understanding that OSHA is drafting a visibility regulation to govern the placement of VDECS. Although APL/Eagle Marine has or is in the process of retrofitting equipment we do not want to install a VDEC only to find out later that we are in violation of possible pending OSHA regulations.

5. Manufacturer delays for new equipment.

It is important to preserve the availability of rental equipment as needed until such time as the manufacturers issue the updated Tier compliant engines. In cases where the equipment is not available, a longer extension of a minimum of one year or until such time as new equipment becomes available or the existing becomes equipment obsolete, whichever comes first.

6. Warranty engine replacement.

Allowing the replacement of an engine under warranty with the same engine type in cases of premature engine failure, even when newer engine standards are in place is fitting and proper.

7. Treat Tier 4 Engines Certified to Alt PM Emissions Standards as Tier 3 Engines.

Engine manufacturers must ensure that Tier 4 engines meets Tier 4 specifications, not an Alt PM standard where the end user is responsible to install additional emission controls / VDECS. If not the user of such equipment will be subject to VDEC retrofit, requiring extra labor and lost-time.

8. Add flexibility to extension for experimental diesel PM emissions control strategies.

Additional compliance flexibility by amending the current compliance extension for the use of experimental strategies for non-yard truck equipment is desirable. In addition CHE owners/operators may use this extension when it is needed to generate information for verification.

9. Clarify regulatory language: definition of port.

It is important to clarify that diesel - fueled equipment within the boundaries of the port or intermodal rail yard, including those at non-port or non-intermodal rail yard related businesses, are subject to the regulation.

Thank you for the opportunity to provide comments on these proposed regulatory changes. APL/Eagle Marine looks forward to dialog with you at the upcoming public hearing on September 22nd and 23rd in Sacramento.

Sincerely,

Robert A. Clark, II  
Director of Environmental Affairs, Americas  
APL  
614 Terminal Way  
Terminal Island, CA 90731  
310-548-8822

Attachment: [www.arb.ca.gov/lists/cargo11/7-apl\\_ems\\_response\\_ca\\_che\\_ports\\_iry\\_110919.pdf](http://www.arb.ca.gov/lists/cargo11/7-apl_ems_response_ca_che_ports_iry_110919.pdf)

Original File Name: APL EMS Response CA CHE PORTS IRY 110919.pdf

Date and Time Comment Was Submitted: 2011-09-19 09:51:51

No Duplicates.



**Comment 7 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Rasto  
Last Name: Brezny  
Email Address: rbrezny@meca.org  
Affiliation: MECA

Subject: MECA Comments to CHE Amendments  
Comment:

Please find attached MECA's written comments to the ARB's proposed amendments to the in-use mobile cargo handling equipment regulation. If there are any questions please contact me.

Sincerely,

Rasto Brezny  
Deputy Director  
Manufacturers of Emission Controls Association

Attachment: [www.arb.ca.gov/lists/cargo11/8-meca\\_che\\_comments\\_092211.pdf](http://www.arb.ca.gov/lists/cargo11/8-meca_che_comments_092211.pdf)

Original File Name: MECA CHE Comments 092211.pdf

Date and Time Comment Was Submitted: 2011-09-19 11:48:27

No Duplicates.

## **Comment 8 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Gary

Last Name: Dalton

Email Address: gary.dalton@itslb.com

Affiliation: International Transportaion Service, Inc

Subject: CHE Ammendments

Comment:

Marine Terminal Operators should not be required to adjust, set-aside, or re-engineer very expensive and mission critical CHE units in order for manufacturers to continue to bring their products up to the operational emissions standards of the State and POLB. It is our position that manufactures have pre-maturely introduced products into the market in a rush to obtain market share when in fact many of these emissions control products have not been fully vetted within the Marine Terminal environment. It is also our position that additional funding must be made available and additional time allotted to both Marine Terminals and manufacturers for achievement of requisite real-world compliance and performance testing. To date this has not been the case. The Ammendments as proposed would let manufacturers continue to transfer responsibility for full vetting of products to the end user.

Finally, we request that CARB and the State of California give full and serious consideration to adjustments to the proposed amendments as outlined in the PMA's June 20th letter to the California Air Resource Board.

Attachment: [www.arb.ca.gov/lists/cargo11/9-its\\_letter\\_carb\\_9.19.11.pdf](http://www.arb.ca.gov/lists/cargo11/9-its_letter_carb_9.19.11.pdf)

Original File Name: ITS Letter CARB 9.19.11.pdf

Date and Time Comment Was Submitted: 2011-09-19 16:58:28

No Duplicates.

**Comment 9 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: T.L.

Last Name: Garrett

Email Address: tgarrett@pmsaship.com

Affiliation: Pacific Merchant Shipping Association

Subject: PMSA Comments on Amendments to Mobile Cargo Handling Equipment at Ports . . .

Comment:

See Attached letter

Attachment: [www.arb.ca.gov/lists/cargo11/10-pmsa\\_re\\_carb\\_che\\_reg\\_amendments.pdf](http://www.arb.ca.gov/lists/cargo11/10-pmsa_re_carb_che_reg_amendments.pdf)

Original File Name: PMSA re CARB CHE Reg Amendments.pdf

Date and Time Comment Was Submitted: 2011-09-20 09:02:20

No Duplicates.

## **Comment 10 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Lanny

Last Name: Schmid

Email Address: laschmid@up.com

Affiliation:

Subject: Comments Related to Cargo Handling Equipment Regulation Amendments

Comment:

Please see attached comments related to the proposed amendments of the Cargo Handling Equipment Regulation. A hard copy of this letter will also be delivered to ARB.

Attachment: [www.arb.ca.gov/lists/cargo11/11-che\\_regamend\\_commentltr\\_09-20-11.pdf](http://www.arb.ca.gov/lists/cargo11/11-che_regamend_commentltr_09-20-11.pdf)

Original File Name: CHE\_RegAmend\_CommentLtr\_09-20-11.pdf

Date and Time Comment Was Submitted: 2011-09-20 13:29:43

No Duplicates.

## **Comment 11 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Linda

Last Name: Frame

Email Address: Non-web submitted comment

Affiliation:

Subject: Yusen Terminals Inc.

Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/cargo11/12-linda\\_frame.pdf](http://www.arb.ca.gov/lists/cargo11/12-linda_frame.pdf)

Original File Name: Linda Frame.pdf

Date and Time Comment Was Submitted: 2011-09-20 16:08:13

No Duplicates.

## **Comment 12 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Barry

Last Name: Wallerstein

Email Address: bwallerstein@aqmd.gov

Affiliation:

Subject: South Coast AQMD Staff Comments on Proposed CHE Amendments

Comment:

Please find attached the South Coast AQMD staff comments regarding the proposed amendments to the Cargo Handling Equipment Regulation.

Attachment: [www.arb.ca.gov/lists/cargo11/13-scaqmd\\_staff\\_comments\\_-\\_che\\_amendments\\_-\\_092211.pdf](http://www.arb.ca.gov/lists/cargo11/13-scaqmd_staff_comments_-_che_amendments_-_092211.pdf)

Original File Name: SCAQMD Staff Comments - CHE Amendments - 092211.pdf

Date and Time Comment Was Submitted: 2011-09-21 09:55:14

No Duplicates.

## **Comment 13 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Ryan

Last Name: Mills

Email Address: ryan.mills@bnsf.com

Affiliation:

Subject: BNSF Railway Comments to Proposed CHE Rule Changes

Comment:

Please find BNSF Railway's CHE Comment letter attached.

Attachment: [www.arb.ca.gov/lists/cargo11/14-bnsf\\_che\\_comments\\_9-21-2011.pdf](http://www.arb.ca.gov/lists/cargo11/14-bnsf_che_comments_9-21-2011.pdf)

Original File Name: BNSF CHE Comments 9-21-2011.pdf

Date and Time Comment Was Submitted: 2011-09-21 09:58:32

No Duplicates.

## **Comment 14 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Luis

Last Name: Cabrales

Email Address: luis@coalitionforcleanair.org

Affiliation: Coalition for Clean Air

Subject: Proposed Amendments to the Cargo Handling Equipment Regulation  
Comment:

This is to comment on behalf of COALITION FOR CLEAN AIR, NATURAL RESOURCES DEFENSE COUNCIL, AMERICAN LUNG ASSOCIATION IN CALIFORNIA, ENDOIL / COMMUNITIES FOR CLEAN PORTS, EAST YARD COMMUNITIES FOR ENVIRONMENTAL JUSTICE regarding the proposed amendments to the Cargo Handling Equipment (CHE) regulation of 2005.

Attachment: [www.arb.ca.gov/lists/cargo11/15-che\\_amendments\\_comments\\_092011.zip](http://www.arb.ca.gov/lists/cargo11/15-che_amendments_comments_092011.zip)

Original File Name: CHE Amendments Comments\_092011.zip

Date and Time Comment Was Submitted: 2011-09-21 10:15:10

No Duplicates.



## **Comment 15 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Melisa

Last Name: Cohen

Email Address: mcohen@schn.com

Affiliation: Schnitzer Steel Industries

Subject: SSI Comments on Proposed Amendments to CHE Rule

Comment:

Please find attached Schnitzer Steel Industries Comments on  
Proposed CHE Changes

Attachment: [www.arb.ca.gov/lists/cargo11/16-ssi\\_comments\\_on\\_proposed\\_che\\_changes\\_092111.pdf](http://www.arb.ca.gov/lists/cargo11/16-ssi_comments_on_proposed_che_changes_092111.pdf)

Original File Name: SSI Comments on Proposed CHE Changes 092111.pdf

Date and Time Comment Was Submitted: 2011-09-21 11:20:52

No Duplicates.

## **Comment 16 for Mobile Cargo Handling Equipment (cargo11) - 45 Day.**

First Name: Richard  
Last Name: Cameron  
Email Address: cameron@polb.com  
Affiliation: Port of Long Beach

Subject: Port of Long Beach Comments Related to Cargo Handling Equipment Regulation Amendments

Comment:

Please find attached comments related to the proposed amendments to the Cargo Handling Equipment Regulation.

Attachment: [www.arb.ca.gov/lists/cargo11/17-20110921\\_calif\\_arb\\_proposed\\_amendments\\_mobile\\_cargo-handling\\_equipment\\_at\\_ports\\_and\\_intermodal\\_rail\\_yards\\_at.pdf](http://www.arb.ca.gov/lists/cargo11/17-20110921_calif_arb_proposed_amendments_mobile_cargo-handling_equipment_at_ports_and_intermodal_rail_yards_at.pdf)

Original File Name: 20110921\_Calif ARB\_Proposed Amendments Mobile Cargo-Handling Equipment at Ports and Intermodal Rail Yards\_AT.pdf

Date and Time Comment Was Submitted: 2011-09-21 10:54:18

No Duplicates.

## **Comment 1 for Mobile Cargo Handling Equipment (cargo11). (At Hearing)**

First Name: Darcy

Last Name: Wheelles

Email Address: Non-web submitted comment

Affiliation:

Subject: California Railroad Industry

Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/cargo11/19-darcy.pdf](http://www.arb.ca.gov/lists/cargo11/19-darcy.pdf)

Original File Name: Darcy.pdf

Date and Time Comment Was Submitted: 2011-09-27 13:33:00

No Duplicates.

## **Comment 2 for Mobile Cargo Handling Equipment (cargo11). (At Hearing)**

First Name: Tom

Last Name: Szwajkos

Email Address: tom.szwajkos@yti.com

Affiliation:

Subject: Yusen Terminals Inc.

Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/recycling11/2-tom\\_szwajkos.pdf](http://www.arb.ca.gov/lists/recycling11/2-tom_szwajkos.pdf)

Original File Name: Tom Szwajkos.pdf

Date and Time Comment Was Submitted: 2011-09-27 13:27:16

No Duplicates.

### **Comment 3 for Mobile Cargo Handling Equipment (cargo11). (At Hearing)**

First Name: Bob

Last Name: Phipps

Email Address: bob@bettendorftrucking.com

Affiliation:

Subject: Bettendorf Trucking

Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/cargo11/21-bob\\_phipps.pdf](http://www.arb.ca.gov/lists/cargo11/21-bob_phipps.pdf)

Original File Name: Bob Phipps.pdf

Date and Time Comment Was Submitted: 2011-09-27 13:33:00

No Duplicates.

**Comment 4 for Mobile Cargo Handling Equipment (cargo11). (At Hearing)**

First Name: Theresa  
Last Name: Livingston  
Email Address: tlivingsto@spi-ind.com  
Affiliation:

Subject: Sierra Pacific Industries  
Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/cargo11/22-theresa.pdf](http://www.arb.ca.gov/lists/cargo11/22-theresa.pdf)

Original File Name: Theresa.pdf

Date and Time Comment Was Submitted: 2011-09-27 13:33:00

No Duplicates.

## **Comment 5 for Mobile Cargo Handling Equipment (cargo11). (At Hearing)**

First Name: Stepen

Last Name: Clark

Email Address: [steve.clark@ssamarine.com](mailto:steve.clark@ssamarine.com)

Affiliation:

Subject: SSA Marine

Comment:

Please see attached.

Attachment: [www.arb.ca.gov/lists/cargo11/23-stephen.pdf](http://www.arb.ca.gov/lists/cargo11/23-stephen.pdf)

Original File Name: Stephen.pdf

Date and Time Comment Was Submitted: 2011-09-27 13:33:00

No Duplicates.

## **Comment 1 for Mobile Cargo Handling Equipment (cargo11) - 15-1.**

First Name: Rasto

Last Name: Brezny

Email Address: rbrezny@meca.org

Affiliation: Manufacturers of Emission Controls Assoc

Subject: MECA comments to Proposed 15-Day Changes to CHE Rule

Comment:

Please find attached MECA's recommendations for modifying the 15-day changes proposal to amend the Cargo Handling Regulation.

Thank you in advance for your consideration of these recommendations.

Best regards,

Rasto Brezny

Attachment: [www.arb.ca.gov/lists/cargo11/24-meca\\_15-day\\_che\\_comments\\_06-22-12\\_.pdf](http://www.arb.ca.gov/lists/cargo11/24-meca_15-day_che_comments_06-22-12_.pdf)

Original File Name: MECA 15-day CHE comments 06-22-12 .pdf

Date and Time Comment Was Submitted: 2012-06-22 08:05:13

No Duplicates.



## **Comment 2 for Mobile Cargo Handling Equipment (cargo11) - 15-1.**

First Name: T.L.

Last Name: Garrett

Email Address: tgarrett@pmsaship.com

Affiliation: Pacific Merchant Shipping Association

Subject: PMSA Comments on Amemendments to the Regulation for Mobile Cargo Handling Equipment

Comment:

See Attached.

Attachment: [www.arb.ca.gov/lists/cargo11/25-pmsa\\_re\\_carb\\_15\\_day\\_notice\\_on\\_che\\_reg\\_amendments.pdf](http://www.arb.ca.gov/lists/cargo11/25-pmsa_re_carb_15_day_notice_on_che_reg_amendments.pdf)

Original File Name: PMSA re CARB 15 Day Notice on CHE Reg Amendments.pdf

Date and Time Comment Was Submitted: 2012-07-02 16:35:19

No Duplicates.