

## **Comment 1 for Verification Procedures Regulation (verdev2012) - 45 Day.**

First Name: Joseph  
Last Name: Ramirez  
Email Address: josramz6@gmail.com  
Affiliation: Elementary School Teacher

Subject: Cutting Diesel Pollution

Comment:

I just read an article in the LA Times regarding this issue. I have been following the growing concern over soot pollution in LA for sometime. I have worked in the Santa Monica school district for 15 years, four of those as a Elementary PE Teacher. I have been monitoring PM 2.5 for some years now via SCAQMD and honestly it's scary. The NW Coastal pollution and traffic congestion is a growing plague, though probably not as bad as the port areas.

Growing up in Los Angeles as a child in the 70s, I remember the "Smog Alerts" and having to spend the day indoors. It seems that we have not been doing much at all to protect today's young lives who play hard in particulate pollution almost every single day. It is very hard for me to send my students out to PE or any outdoor physical activity just knowing that the PM 2.5 levels are in the "yellow" or "orange" range. It's much harder to watch those who have inhalers, asthma or students with heart problems play with their friends in the polluted air. I have a four year old and a two month old of my own and I just don't even feel comfortable taking them to the park unless we're in the "green," which doesn't happen nearly enough.

If installing particulate traps on diesel polluting vehicles is a remedy until we can get more alternative fuels flowing, then this should become mandated for our entire state to not only protect people, but wildlife, and a warming planet. It could create jobs and provide for almost immediate relief, as PM pollution can be controlled. I think that traps should be extended to trains, all heavy machinery, planes, boats and all diesel vehicles--most importantly and way over due, every school bus in our state and beyond should be either on alternative fuel or in the least be retrofitted. There are still way too many buses that spew out pollution and it's an embarrassment, and testament to how much we value our children.

Finally, I'm heading up to our local mountains in Big Bear this week to relax before school starts. I wonder what the air will be like there? I know that even our local mountains are also affected by this type of pollution. There's no way of escaping it. Please do what you must to enforce these public safeguards and help take the steps to move California beyond fossil fuels--we are running out of time. Paying particular attention to a pollution problem with a word that begins with the letters, "DIE" I think should be taken seriously. This fall I will teaching my third grade students much more about this horrible reality we have to deal with and educate them about doing what they can to do help. I guarantee they will be very excited and about it and more than eager to do their

part, will you?

Thank you for your time,

Joseph Ramirez

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2012-08-13 09:46:38

No Duplicates.

## **Comment 2 for Verification Procedures Regulation (verdev2012) - 45 Day.**

First Name: Bryn

Last Name: Burke

Email Address: bryn@vertical-constructors.com

Affiliation:

Subject: Comments to Verification Procedures Regulation (verdev2012).

Comment:

August 20, 2012

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

Subject: Comments to Verification Procedures Regulation  
(verdev2012).

Dear ARB:

As you are aware, the combined requirements of the On-Road Rule and Off-Road Rule will soon require that all mobile cranes operating in normal service throughout California be retrofitted with verified diesel emission control systems (VDECS) in the very near future. As the deadlines approach, and the state's crane owners begin to undertake VDECS retrofits, several serious safety and feasibility issues have surfaced. We have brought these issues to the attention of the Mobile Source Control Division, and are pleased to report that they have been very responsive to these issues and are in the process of exploring them first hand. Therefore, we wish to use the current rulemaking to provide an update of the current issues we believe to remain with regard to VDECS installations on mobile cranes.

- Cranes do little lifting and a lot of holding, idling, and sitting. We have provided staff with documentation from engine manufactures that shows in our application the cranes and trucks never get hot enough to meet minimum temperature requirements. We have likewise made several cranes available for exhaust temperature mapping to illustrate this point.

- In addition to engine exhaust temperature, there is the issue of safety regarding the active VDECS. If there is a load on the hook, OSHA regulations require that the engine remain on for safety reasons. The exhaust temperature of a passive VDECS cannot be maintained in idle, and that a shutdown (including an automatic shutdown) required by an active VDECS is not feasible.

- The crane body itself, i.e., the structural build, is engineered and in "ANSI & ASME Code Compliance" as a lifting machine, not a driving vehicle. As discussed, the total weight and the "Center of Gravity" is what makes the crane, a crane. To our knowledge and from our experience thus far, we have yet been able to get a manufacture to approve and/or certify a repower or retrofit, as is

required by California and federal OSHA regulations.

- The crane owners believe that the manufacturers' reluctance to approve VDECS retrofits is directly related to the weight of the engine and where they put the engine in the crane. Different models of cranes, even if they are from the same manufacturer, make each engine in a different configuration, compacting and lightening it as much as possible. Adding weight will require the manufactures to confirm and re-certify their load charts. For cranes that have been working for years and/or are no longer manufactured, no crane manufacturer is willing to do this. If we change anything on the crane that is not a factory supplied or approved aftermarket parts with a part number, that alters the structural integrity of the crane, it voids all charts and certifications and therefore no longer meets ANSI standards and we will be operating outside of OSHA regulations. The crane will not pass certification and we have no protection against any failure.

- The crane owners note that the verifying Executive Orders for passive VDECS are being issued with the following standard condition: "The engine must not be in an auxiliary power unit for on-road trucks, transport refrigeration unit, gantry crane, stationary application, marine vessel, or locomotive" [Emphasis Added]. We believe that the same feasibility issues applicable to gantry cranes also apply to mobile cranes (and to an even greater degree). Likewise we believe that due to the difference in lift patterns and lift duration, the same feasibility issues preclude the installation of active systems on mobile cranes."

Again, we appreciate your time in noting the unique challenges that face our industry and would like to thank staff for their willingness to explore these issues further.

Kind regards,

Bryn Burke on behalf of the Mobile Crane Operators Group

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2012-08-20 09:15:12

No Duplicates.

### **Comment 3 for Verification Procedures Regulation (verdev2012) - 45 Day.**

First Name: Rasto

Last Name: Brezny

Email Address: rbrezny@meca.org

Affiliation: Manufacturers of Emission Controls Assoc

Subject: MECA Comments to Verification and In-use Compliance Amendments

Comment:

Please find the comments of the Manufacturers of Emission Controls Association in support of ARB's proposed amendments to the verification and in-use compliance regulation for diesel retrofit technologies. If you have any questions please let me know.

Rasto Brezny  
Deputy Director  
MECA

Attachment: [www.arb.ca.gov/lists/verdev2012/4-meca\\_verification\\_comments\\_082312.pdf](http://www.arb.ca.gov/lists/verdev2012/4-meca_verification_comments_082312.pdf)

Original File Name: MECA Verification comments 082312.pdf

Date and Time Comment Was Submitted: 2012-08-21 07:33:53

No Duplicates.

## **Comment 4 for Verification Procedures Regulation (verdev2012) - 45 Day.**

First Name: Kevin

Last Name: Brown

Email Address: [kfb@enginecontrolsystems.com](mailto:kfb@enginecontrolsystems.com)

Affiliation: CDTi / Engine Control Systems

Subject: Comment on proposed verification protocol amendments

Comment:

see attached comment

Attachment: [www.arb.ca.gov/lists/verdev2012/5-cdti\\_comments\\_aug\\_22\\_12.pdf](http://www.arb.ca.gov/lists/verdev2012/5-cdti_comments_aug_22_12.pdf)

Original File Name: CDTi comments Aug 22 12.pdf

Date and Time Comment Was Submitted: 2012-08-22 10:57:53

No Duplicates.

## **Comment 5 for Verification Procedures Regulation (verdev2012) - 45 Day.**

First Name: Gary

Last Name: Simons

Email Address: gary.simons@donaldson.com

Affiliation:

Subject: Recommended changes to proposed VDEC rules

Comment:

Donaldson Company Inc. is pleased to provide comments on ARB's proposed amendments to the verification procedure, warranty and in-use compliance requirements for existing on-road, off-road and stationary diesel fueled vehicles and equipment. Donaldson is a worldwide filtration solution provider to the transportation industry. Our Exhaust/Emissions business has been producing VDECs for both the California and EPA market for more than a decade. We have designed and manufactured hundreds of thousands of emission systems for both the OEM and retrofit customers.

While Donaldson appreciates the proposed changes to lessen the cost impact of the in-use compliance requirements, the numerous changes and additions to the rules more than offset the cost benefit to the manufacturers. In addition, several of the rule changes increase the business risk of producing these devices without providing any measurable benefit to California's clean air efforts.

Donaldson understands the pressure ARB is under to address the safety of retrofit systems. Unfortunately, the proposed rule generate a potentially unequal playing field where its possible that some devices are subject to more stringent scrutiny than other devices. Section 2706 (w) 2 allows ARB to require both safety testing and design modifications. However, there are no criteria or established procedures identified. Without such procedures or standards, there is no way for a manufacturer to determine what is acceptable and what is not from ARBs perspective. As with most devices it is conceivable to generate a test that uses unrealistically harsh conditions that result in a device failure. This section makes it possible for a test or design to be imposed on one device that wouldn't apply to others. We would propose that any safety rules be based on accepted industry standard practices, are objective, and apply equally to all devices whether OEM or retrofit produced.

Donaldson agrees that the vehicle pre-assessment described in section 2706 (t) is in the best interest of all parties. However, 2706 (t) (4) imposes a 15 day window before device installation on the timeframe that a basic engine assessment must be conducted. This timeframe is unnecessarily prescriptive and imposes a burden on the commercial relationship between the manufacturer, installer, and end user. The timeframe for completing a basic engine assessment should be left to those that are responsible for the accuracy and timeliness of the installation.

Section 2708 (b) makes it more difficult to obtain a verification by requiring every test meet the emissions target rather than a

simple average. While this is not a significant impact for Level 3 PM reduction, it is more problematic for NOx reduction. There is currently one VDEC approved by ARB that exceeds 50% NOx reduction. This verification was granted in 2005. Making it more difficult to achieve a target NOx reduction would appear counter-productive, when there are few NOx reduction VDECs currently available. We also question if this approach to require every test pass the standard has been previously applied to emissions testing. Using an average is industry accepted practice with most tests that involve some degree of variability. For example, the SAE standard J1667 which is used for opacity testing and relied upon to determine acceptable engine performance, uses an average of 3 tests with a boundary on the testing variability.

Donaldson has made a significant investment in the development of products and business infrastructure to supply the California retrofit market with emission reduction technologies. We believe that there is still a good fit between the products we provide and the need for clean air devices. However, the added costs required to comply with ever changing ARB rules is making it more difficult to justify ongoing investment in the retrofit product line. We would urge ARB to assess each of the new rules discussed above as well as those identified by the Manufacturers of Emissions Controls Association for their absolute need and benefit as they pertain to the performance and reliability of VDECs.

Attachment: [www.arb.ca.gov/lists/verdev2012/6-dci\\_written\\_comment\\_arb\\_rules\\_082312.pdf](http://www.arb.ca.gov/lists/verdev2012/6-dci_written_comment_arb_rules_082312.pdf)

Original File Name: DCI\_written\_comment\_ARB\_rules\_082312.pdf

Date and Time Comment Was Submitted: 2012-08-22 11:02:44

No Duplicates.



**There are no comments posted to Verification Procedures Regulation (verdev2012) that were presented during the Board Hearing at this time.**

## **Comment 1 for Verification Procedures Regulation (verdev2012) - 15-1.**

First Name: Craig

Last Name: Phillips

Email Address: cphillips@ironmanparts.com

Affiliation:

Subject: Input to the modified Text for Verification Procedure.

Comment:

Page 4 (29) top of page - "Installer" or "Authorized Installer" need to include authorized by applicant to conduct VDEC Service and applicant warranty work on application VDEC with verified service components.

Page 6 either add under a Valid Warranty claim - which is well defined as it relates to the Applicant - Please define a valid Warranty claim on the Authorized Service Installer -

Page 37 - document starts to talk about a "person" - Ironman shares the following concern and requests a clear definition of what a person means - At different times Ironman have various different levels of installer personnel - in fact we have several categories of installers with different skill levels - so just because personnel have been trained to install a VDEC for example - does not mean they can install a VDEC on any type of application. We have examples where staff leave and either work for an end user or themselves and claim to be authorized by the applicant to install - The applicant does not intend them to be authorized installers unless they are working under the supervision and control of a current VDEC authorized Installer

Page 34 - Under component Device Swapping and redesignation - (2) Applicant must receive a written approval from the EO prior to approving a diesel emission control strategy re-designation. We know the EO must approve an applicant redesignation approval - but this reads as if for every redesignation the applicant must get the EO approval - Ironman consider that this may be too time consuming and could create delays that frustrate end user clients.

Page 35 - System labelling (1) second last paragraph - The end user must notify the applicant in the event of a damaged or destroyed or missing original strategy label - While it is possible that an end user contacts the applicant - 90% of the time they contact the Authorized Service Installer and we request this from the applicant -practically most end user contact is with the "authorized service Installer" for service and warranty.

Page 41 - (4) The assessment must be performed no more than 15 days prior to installation - practically Ironman have complained about this before - sometimes we have literally hundreds of trucks being PIC fail and being repaired for several reasons - the coordination of meeting 15 days with all the various scheduling issues that arise with fleets is unrealistic - I have been asked well how long - is reasonable - 30-45 days will cover most issues - I realize what the intent is - but doing a good job of PIC and getting

repairs completed - and then product and scheduling availability - create a time line that for the most part is not under the authorized service Installers control. (Truck busy/out on a route etc.).

Page 42 - Training Requirements - The concern Ironman has is the wording of the sentence "The applicant or their authorized installer is responsible for ensuring that this training is presented to the end user before the vehicle, equipment or engine is put back into Service.

When Ironman deal with Fleets - we make end user fleets aware of this need for training - especially for their drivers - we offer them various forms of training including on line - but we specifically do not and cannot control who will drive the client trucks and when. While Ironman plays a role in this training - and an important one - this wording of the training responsibility needs to be shared by the fleet owner as well -

Page 49 - (d) Installation warranty Report - please release a specific report outline for Authorized Service installers similar to the report that exists for Applicants - And if the recommendation is accepted to define a valid Installer warranty claim (page 6)- then that will resolve any issue we have for clarification purposes here - if not in the definitions - then expand on what makes it a valid warranty installer claim here -

Recall provisions in the Verification procedure - CARB have clearly learnt a great deal from the Cleaire recall scenario and there is plenty of new details to follow if the need arises for another Recall - however CARB need to ensure that while the technical process is well defined - the real issue is that the applicant must have the financial or product insurance support to financially ensure completion - Lets learn that the real problem is a financial one when a significant recall is required and that the applicant must have the financial balance sheet or product liability insurance that covers a recall in place - or this is just an academic exercise - to follow if the applicant could ever afford to complete a recall.

Pg. 45-47-48

(3) All new section on warranty claim resolution...  
- This section should cover the issue of the trucks in the field with Longmile installs which for some time will have a Cleaire/ESWT CMM installed -so that clarification and guidance can be provided.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2013-06-11 11:44:20

No Duplicates.

## **Comment 2 for Verification Procedures Regulation (verdev2012) - 15-1.**

First Name: Marty  
Last Name: Lassen  
Email Address: Marty.Lassen@jmusa.com  
Affiliation: Johnson Matthey

Subject: JM Comments on VERDEV2012  
Comment:

See the attached JM comments on the proposed 15-day modifications to the proposed amendments to the verification procedure.

Marty Lassen  
Johnson Matthey  
Marty.Lassen@jmusa.com  
610.476.0131

Attachment: [www.arb.ca.gov/lists/com-attach/8-verdev2012-AHZSMQFyVW9WNIM6.pdf](http://www.arb.ca.gov/lists/com-attach/8-verdev2012-AHZSMQFyVW9WNIM6.pdf)

Original File Name: Verification Procedure Amendments\_15 Day Changes\_130613.pdf

Date and Time Comment Was Submitted: 2013-06-13 10:18:56

No Duplicates.

### **Comment 3 for Verification Procedures Regulation (verdev2012) - 15-1.**

First Name: Wilson

Last Name: Chu

Email Address: [chuw@jmusa.com](mailto:chuw@jmusa.com)

Affiliation: Johnson Matthey SEC LLC

Subject: Comments to Modified Text for the Amendments to the Verification Procedure  
Comment:

Johnson Matthey Stationary Emissions Control LLC hereby submits their comments to CARB on the proposed changes to the Verification Procedure.

Wilson Chu

Attachment: [www.arb.ca.gov/lists/com-attach/9-verdev2012-BmxTOIQ9BTgEcQJt.pdf](http://www.arb.ca.gov/lists/com-attach/9-verdev2012-BmxTOIQ9BTgEcQJt.pdf)

Original File Name: Johnson Matthey Comments to the Draft Proposed 15-Day Modifications Comments-1.pdf

Date and Time Comment Was Submitted: 2013-06-13 13:40:13

No Duplicates.