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**Sent:** Monday, January 14, 2019 2:47 PM

**To:** Nichols, Mary D. @ARB <[mary.nichols@arb.ca.gov](mailto:mary.nichols@arb.ca.gov)>; Brasil, Tony@ARB <[Tony.brasil@arb.ca.gov](mailto:Tony.brasil@arb.ca.gov)>; White, Elizabeth@ARB <[elizabeth.white@arb.ca.gov](mailto:elizabeth.white@arb.ca.gov)>

**Subject:** Fwd: Champion Crane and all in the crane industry

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**From:** [mwkonle@aol.com](mailto:mwkonle@aol.com)

**To:**

**Subject:** Fwd: Champion Crane

Mary Nichols

ONE SIZE FITS ALL IS A PROBLEM WITH IMPLEMENTATION OF CARB RULES

This new change to truck and bus rules gives the large crane companies a HUGE Advantage over the small family owned business

All the large crane companies are also DEALERS and can purchase cranes at a lower COST  
They all have MULTI STATE facilities and can utilize their older equipment in other states.  
This gives them an unfair business advantage over the small Fleets  
The CARB rules have killed the resale value of our equipment further adding to the burden of the small companies. Multi million dollar cranes will require 25 to 30 years to get return on investment.  
Because of their low use they will easily operate 25 to 30 years before replacement is required.

SAFETY is one of our big concerns. OSHA will not let us modify the cranes from original ANSI and DIN certifications. Adding a PM filter will create back pressure and affect horse power required to operate crane Safely. Shutting down to regenerate in the middle of a lift could be life threatening.

Switching the crane industry into the SOLID WASTE program gives CARB a chance to listen to industry and create RULES that are ATTAINABLE. We met with staff multiple times in Sacramento and Diamond bar.

Also Steve Cliff and LaRonda Bowen met with members of Local 12 Operating Engineers, Trucking companies and other crane owners in my office. We are Struggling with complying. Taking away the 5,000 mile low millage exemption and retiring the equipment with less than HALF of useful life will create an EXTREME hardship to comply.

Mary

I have worked hard my whole life to build my business and will not be able to continue  
Champion Crane just purchased 10 new simi trucks and one new 110 ton crane totaling \$ 3,500,000.00  
putting me further in DEBT than I have ever been. and still can not comply

**Please our industry needs help ( SAFETY FIRST )**

MIKE KONLE  
CHAMPION CRANE

12521 BRANFORD ST  
PACOIMA, CA. 91331  
818-414-1644 CELL  
818-781-3497 OFFICE

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Subject: Re: Champion Crane

Steve  
Going out of business will be my only option  
I can not replace all my cranes  
I am sick over this outcome

MIKE KONLE  
CHAMPION CRANE

<[Steve.Cliff@arb.ca.gov](mailto:Steve.Cliff@arb.ca.gov)> wrote:

Mike,

I was out of the office this afternoon when you called, but I received your message. I believe you are referring to the staff report assertion that this regulation would not add costs to industry. That is because the requirements are extending a flexibility already included in previous amendments that are being rescinded as a result of the court ruling in the Lawson v. CARB case. It's true that the truck and bus rule has costs, some very significant. But those costs were analyzed as part of the original rule (from 2008 I believe). At this point, this rule would give back a flexibility that was removed as a result of the lawsuit I mentioned above.

Staff analyzed all the requests from industry and are not proposing changes to the rule that was in place last year. When the board hears this item in January, the board can direct staff to make amendments to the proposal, or can approve or disapprove the regulation proposal. It would be appropriate to make your comments to the board at that hearing. Staff has made a good faith effort to be responsive to industry while balancing the concerns over a need to provide relief from enforcement of the rule that is on the books. Making more changes to the regulation would have extended the analysis period, would have created negative environmental impacts and would have brought more opposition from the environmental community and from those in industry that had already complied with the provisions previously.

Staff is not compelled by the argument that this is such a small number of vehicles as to have meaningless air quality impact. First, these vehicle do operate when stationary and have an outsized emissions impact relative to their annual mileage as a result. Second, if every small category were ignored, we simply wouldn't get the reductions we need to meet federal air quality requirements. Because this industry is unique in terms of equipment cost and operations, major flexibilities were provided in a prior rule (which are now going away) that this new rule would reinstate.

We certainly recognize there are costs to comply with our rules. But this new rule, if adopted by the Board, would actually provide more flexibility (and therefore reduce costs) relative to the regulations that are in law today. I realize this isn't everything industry asked for. But staff believes this is a reasonable compromise to help us achieve air quality mandates while reducing cost burden to those who are regulated.

Best,  
Steve

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Sent from [Workspace ONE Boxer](#)

, [mwkonle@aol.com](mailto:mwkonle@aol.com) wrote:

Steve

the report states no economic impact to industry HUGE IMPACT TO CHAMPION CRANE  
No impact to infrastructure ? Roads Bridges and buildings will all sky rocket in price \$\$\$\$  
1,000 miles is not a problem? The cost of insurance, fuel, and maintenance would not even be covered  
OSHA will not let us modify cranes PM filters ECT ( have to replace 8 cranes \$ 6,400,000.00 )  
I have ordered the filters but have not installed yet hoping for some relief approximately \$ 200,000.00  
worth of filters. Now I can't install Must replace Cranes  
7 of my off road cranes are not replaceable ( No new cranes available ) Need exemption for these  
at a cost of \$ 5,500,000.00 but not available at any cost  
Plus another \$ 6,000,000 for fork lifts, welders, and balance of trucks .  
This new regulation offers no relief to our industry especially the SMALL BUSINESS OWNER  
We are struggling to comply. To put the small business out of business for the amount of PM that is  
generated from less than 300 Cranes in the whole state of California.  
We all met to voice all our concerns Northern and southern Calif crane owners assn. and received NO  
HELP

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MIKE KONLE  
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