



DEPARTMENT OF DEFENSE
REGIONAL ENVIRONMENTAL COORDINATOR, REGION 9
937 N. Harbor Drive, Box 81
San Diego, California 92132-0058

5090
Ser N40JRR.cs/0038
December 13, 2010

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

**SUBJECT: DOD COMMENTS TO MANDATORY GREEN HOUSE GASES REPORTING
RULE**

On behalf of the Military Component Services and acting as the Department of Defense (DoD) Regional Environmental Coordinator (REC) in California, the military appreciates the efforts California Air Resources Board (CARB) has made to harmonize the state and federal Mandatory Reporting rules. We reiterate our appreciation for the ability to disaggregate our facilities outlined in the definition section. We thank you for the ability to utilize Air Quality Districts as verifiers and wish to ensure that CARB provides ample opportunity to Districts to become certified verifiers as provided in the regulation.

We do have three specific areas for comment. First, we are concerned that there is no mention in the regulation's enforcement sections of the basic Health and Safety Code variance process. While the DoD remains firmly committed to compliance, the complexities of military installations and stringent requirements of the federal contracting process mean reports could be delayed in some instances. We recommend that CARB incorporate the existing Health and Safety Code variance process into the Mandatory Reporting regulation or in the staff report.¹

Secondly, section 95104 (e and f) of the regulation refers to Executive Orders (EO). However, no specific EOs are identified in these two sections. The two sections (e and f), appear to generically reference EOs that might be issued or modified. We request additional specificity as to the EOs the

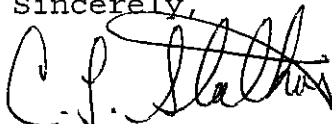
¹ California Air Pollution Control Laws, Health and Safety Code, Division 26 Air Resources, Part 4 Nonvehicular Air Pollution Control, Chapter 4 Enforcement Article 2 Variances

CARB is referencing so that we may properly analyze potential impacts to the military.

Finally, we note there is no requirement for an approved Health and Safety Plan for third party verifiers. Given the many hazards inherent to an active military installation, it is critical that any certified verifier who visits our installations have an approved Health and Safety Plan to ensure verifiers observe basic safety requirements during their visits.

Thank you for your continued consideration. My point of contact for this matter is Mr. Randal Friedman who can be contacted at (619) 572-5037.

Sincerely,

A handwritten signature in black ink, appearing to read "C.L. Stathos". The signature is written in a cursive style with a large, looping initial "C".

C.L. STATHOS
By Direction