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December 15, 2010

Clerk of the Board
California Air Resources Board
1001 I Street
Sacramento CA 95814
Submitted electronically to: http://www.arb.ca.gov/lispub/comm/bclist.php

RE: Proposed Amendments to the Truck & Bus, Drayage Truck, and Tractor-Trailer Greenhouse Gas Regulations

Dear Chairman Nichols and Members of the Board:

The American Trucking Associations (ATA) is pleased to submit the following comments on the California Air Resources Board's (CARB) Proposed Amendments to the Truck & Bus, Drayage Truck, and Tractor-Trailer Greenhouse Gas Regulations ("on-road regulations").[1]

ATA members support the goal of clean air and are committed to continue working with the Board and its staff to identify and address implementation issues associated with these on-road regulations. Under the Board's direction, CARB staff has reexamined the level of activity and resulting emissions from the affected vehicles. As a result, emissions from on-road vehicles are estimated to be 35 percent less in 2010 than originally projected. Future year emissions are projected to be lower as well.

Through this process, CARB staff has determined that an emissions margin exists that allows for economic relief from the existing requirements while still allowing California to meet federal air quality standards in 2014 and beyond. Some suggest this margin may be even larger than staff has projected.[2] ATA broadly supports the proposed amendments as a means of providing some economic relief for trucking companies operating in California while still attaining the state's stringent clean air mandates and greenhouse gas reduction goals.

In addition to the proposed amendments, ATA asks the Board to adopt three additional revisions that will help align operational practices with the emission benefits being sought. These amendments are discussed in detail below.

[1] ATA is a united federation of motor carriers, state trucking associations, and national trucking conferences created to promote and protect the interests of the trucking industry. Its membership includes more than 2,000 trucking companies and industry suppliers of equipment and services. Directly and through its affiliated organizations, ATA encompasses over 37,000 companies and every type and class of motor carrier operation.
[2] Sierra Research, *Review of CARB On-Road Heavy-Duty Diesel Emissions Inventory* (November 15, 2010)

1) Extend the SmartWay tire requirements to 2014 for pre-2011 tractors and for those tractors needing open-shoulder tires.

Under the Tractor-Trailer Greenhouse Gas regulation, pre-2011 tractors must use SmartWay verified tires beginning January 1, 2012. CARB staff is proposing to extend this start date by one year to allow time for: (1) non-SmartWay tires to wear out and be replaced and (2) the development of SmartWay verified retreads.[3] ATA believes an additional two years, rather than one, is needed to ensure that fleets will not have to prematurely change out and dispose of their non-SmartWay tractor tires and retreads.

As shown in Diagram 1, a typical fleet will need to end their purchases of non-SmartWay tires and retreads at the end of this year to have adequate time to wear out existing tires and retreads to meet the proposed January 1, 2013 deadline. Unfortunately, SmartWay verified retreads are not currently available as a replacement option and the availability of SmartWay verified open-shoulder tires is limited. As a result, the ability to purchase certain compliance technologies is currently restricted. It is anticipated that this situation will improve in 2011 but the uncertainty of the situation warrants an extension to allow for the technology to be developed or become more widely available.

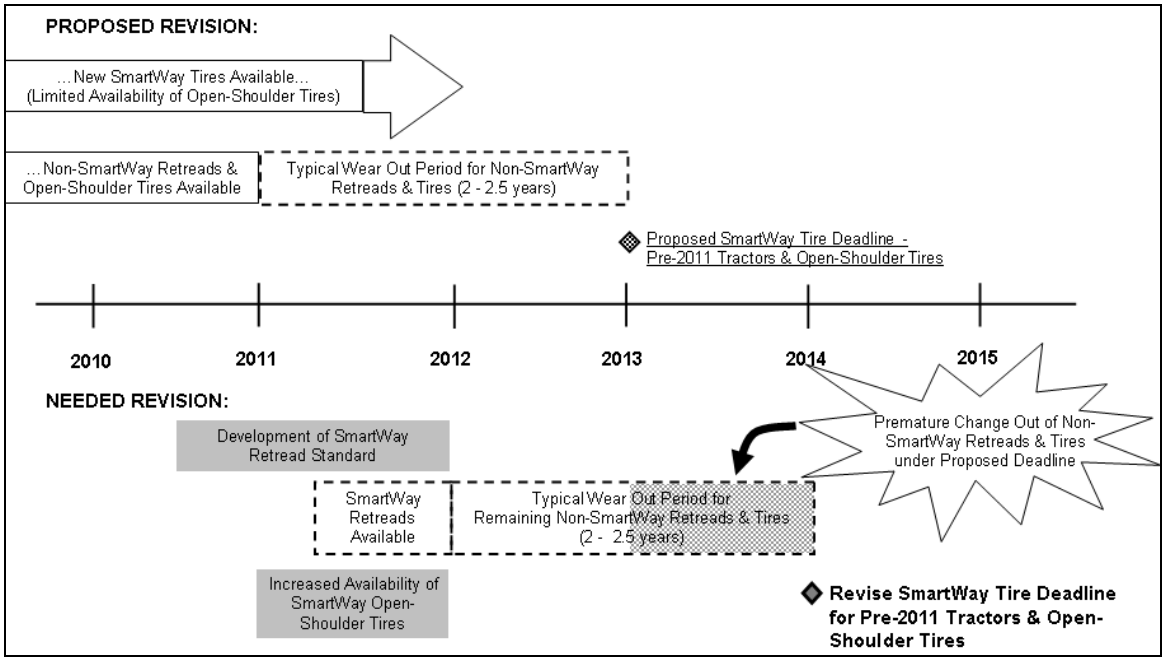

Diagram 1: Illustrative Tire/Retread Wear Out Schedule

[3] "Although retreading tires is no longer a common practice for passenger vehicles, it is very common in commercial trucking. Even the federal government is directed by Executive Order to use retreaded tires in its fleets whenever feasible. Retreading a tire greatly increases its mileage and lifetime, saving both money and resources. It costs about one-third to one-half of the cost of a new truck tire to retread it, and uses a lot less rubber. On average, it takes about 325 pounds of rubber to produce a new medium- or heavy-duty truck tire, but only about 24 pounds of rubber to retread the same tire." U.S. Environmental Protection Agency/U.S. Department of Transportation, *Draft Regulatory Impact Analysis, Proposed Rulemaking to Establish Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles*, p. 1-29 (October 2010).

As background, fleets tend to use retreads on the drive tires of tractors as well as on trailers. The use of retreads is not only cost effective but also provides environmental benefits. A testing program to develop the parameters for a SmartWay verified retread is currently underway; however, when this process will be completed and when the EPA's SmartWay Program will issue a retread specification based on this testing program is unknown. Consequently, fleets will not have an opportunity to purchase and install fuel-efficient retreads until sometime next year, at the earliest.[4]

Open-shoulder tires are used by fleets for added traction. These tires tend to be used in regional haul situations where roads may be more challenging or where adverse conditions are more common. Tractors with single-axle drives also tend to use open-shoulder tires to ensure adequate traction. An exemption for the use of open-shoulder tires on 2011 and subsequent model year tractors is currently proposed until January 1, 2013. ATA again believes an additional year is warranted to allow manufacturers time to verify additional open-shoulder tires through the SmartWay program.[5]

CARB staff has indicated that under the proposed deadline, fleets will still have the leeway to move non-compliant tires or retreads from tractors to trailers. Moving a tire or retread that is well into its useful life is not cost effective nor does it provide environmental benefits. In many instances, the remaining life would not justify the cost of a short-term move, forcing fleets to either prematurely retread these tires or, if the casing is worn, add them to the scrap tire population.

2) Expand the local-haul aerodynamic exemption to a 150 mile radius

Under the Tractor-Trailer Greenhouse Gas regulation, local-haul tractors and trailers can receive an exemption from the regulation's aerodynamic requirements if they operate within a 100 mile radius of their base location. As stated in the FSOR, "The primary purpose of allowing a short-haul or local-haul exemption is to exempt vehicles that will only marginally benefit from aerodynamic equipment, where the use of them will not be cost effective."[6]

According to a recent study published by the National Academies,[7]

[4] Under the regulation, retreads are allowed if the casing from a SmartWay verified tire is used. However, the fuel efficiency associated with this type of retread has not been established.

[5] As noted in the staff report, only three open shoulder drive tire models are currently verified under the SmartWay program. Of these, one is manufactured in Europe with limited availability in the United States while another has only recently gone through the verification process. In addition, two of these tires may no longer qualify for future verification due to changes in the SmartWay verification procedure.

[6] California Air Resources Board, *Final Statement of Reasons for Rulemaking, Including Summary of Comments and Agency Response Adoption of the Regulation to Reduce Greenhouse Gas Emissions from Heavy-Duty Vehicles*, p. 31 (October 23, 2009)

[7] Transportation Research Board; National Research Council; Committee to Assess Fuel Economy Technologies for Medium- and Heavy-Duty Vehicles, *Technologies and Approaches to Reducing the Fuel Consumption of Medium- and Heavy-Duty Vehicles*, p. 109 (2010).

> "Caution is necessary in the use of these fuel consumption estimates since they apply to a 60 to 65 mph average speed. If these trucks are used principally in a pickup/ delivery duty where average speed is about 40 mph, the fuel consumption benefit of the aerodynamic component will shrink by 70 percent. At speeds below 40 mph, the benefit becomes insignificant."

Figure 1 displays average truck speed data during the weekdays of 2009 for two of California's interstate highways, I-5 and I-10.[8] As shown, overall average truck speeds range from 48 to 53 miles per hour (mph) with segments in the Los Angeles basin averaging 40 mph or less. Using Bakersfield as the base location, trucks traveling to Los Angeles will reach the most congested areas just beyond the limits of the current local-haul exemption. Trucks traveling beyond this limit will need to be equipped with aerodynamic technologies even though the benefits will be insignificant. As shown, expanding the local-haul exemption to a 150 miles radius would help to further address situations where the use of aerodynamic technologies are not cost effective. While this illustration shows one example of how the current local-haul limit impacts interstate highway operations, there are trucking companies throughout the state that operate primarily at lower speeds on non-interstate highways and other roadways that will only accrue marginal benefits from the current aerodynamic requirements.

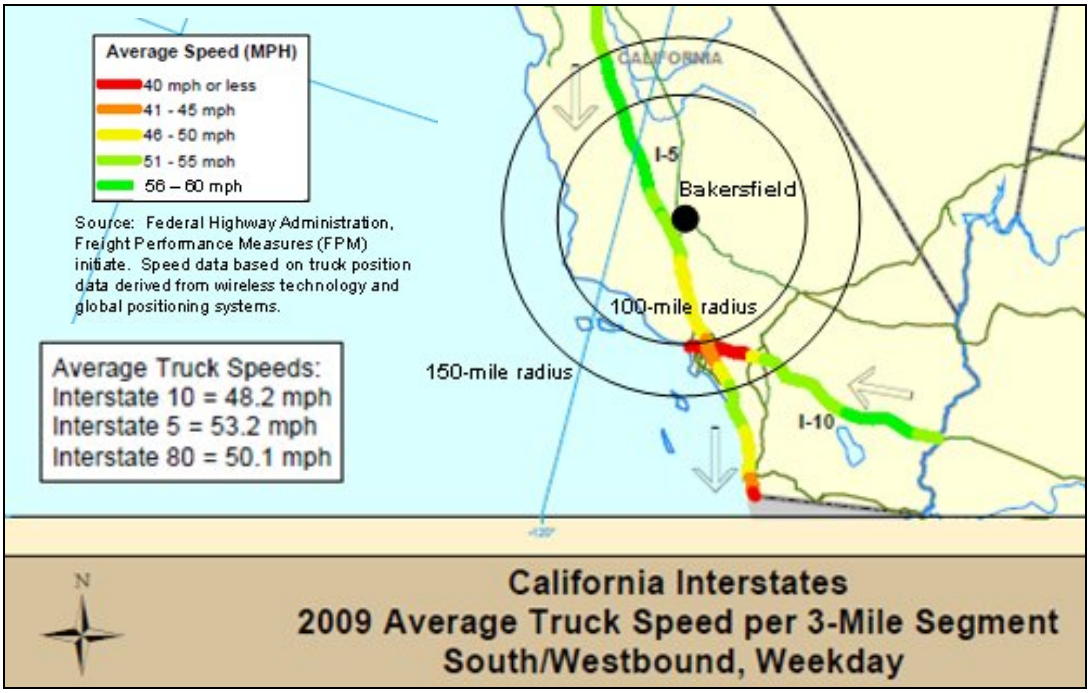

Figure 1: Average Weekday Truck Speeds, 2009

[8] Federal Highway Administration, Office of Freight Management and Operations, "Freight Performance Measures," https://www.freightperformance.org/fpmweb/user_login.aspx.

3) Provide one for one credit for 2007 and newer vehicle purchases.

Under the Truck and Bus regulation, fleets that have already installed a particulate matter (PM) filter or install them prior to July 2011 would be able to treat another vehicle as compliant until 2017. While retrofitting existing vehicles is one compliance option, this option may not be available for certain vehicles due to age, duty-cycle, economics, etc. As an alternative, many fleets have purchased 2007 or newer vehicles in order to comply. Both compliance options result in the use of PM filters, yet credit is only provided when a vehicle is retrofit.

CARB staff has indicated that one of the barriers to providing credit for vehicle purchases is differentiating between normal turnover and regulatory compliance. Fleets have indicated a willingness to provide the necessary data to demonstrate to CARB staff which purchases are beyond normal turnover and, therefore, represent regulatory compliance. We believe this credit should be made available to enable compliance through new purchases to be treated equal to retrofits.

ATA appreciates the opportunity to comment on the proposed amendments the Truck & Bus, Drayage Truck, and Tractor-Trailer Greenhouse Gas Regulations. If you have questions regarding these comments, please contact me at either (916) 300-3161 or at mtunnell@trucking.org.

Sincerely,

Michael Tunnell
Director, Environmental Affairs
American Trucking Associations