

# **APTCO, LLC**

AGRICULTURAL PACKAGING TECHNOLOGY

Shipping Address

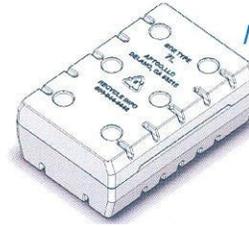
31381 Pond Road  
McFarland, CA 93250

Mailing Address

1998 Road 152  
Delano, CA 93215

Phone 661-792-2107

FAX 661-792-2387



November 2, 2010

## **VIA U.S. MAIL**

California Air Resources Board  
1001 "I" Street  
P.O. Box 2815  
Sacramento, CA 95812

**Re: In-Use Heavy Duty Diesel Fueled Vehicles Regulation (truck and bus regulation)**

Dear Sir or Madam:

This comment letter is submitted with regard to the California Air Resources Board's proposed regulations regarding trucks and buses, which often is called the truck and bus regulation. These comments are submitted on behalf of APTCO, LLC, a Delano, California based company that produces agricultural packaging for the table grape industry. APTCO, LLC, operates a fleet of eight trucks, including five with 2003 model year engines, two with 2006 model year engines and one with a 2010 model year engine.

I attended, via video feed from Bakersfield, the ARB workshop regarding the truck and bus regulation that was held in Fresno in September of this year and, prior to that, followed the development of the truck and bus regulation.

Throughout this time, I have communicated frequently with the suppliers of engine parts for our fleet of eight trucks. Consistently, the suppliers have advised me that they are unable to provide particulate matter filters as provided for in your truck and bus regulation.

APTCO, LLC is a small business and our fleet of trucks is a relatively small fleet, but our trucks are very serviceable and have a long life remaining.

APTCO, LLC is concerned about the ARB truck and bus regulation, not only because particulate matter filters that are contemplated for the proposed regulation are not commercially available, but also because our relatively new fleet of trucks has a long,

useful life remaining. APTCO should not be forced to replace these trucks in the future, only part way through their useful life.

These are challenging times for small businesses like APTCO, LLC. Sadly, we were recently forced to lay off some of our workers. Regulations such as the ARB truck and bus regulation must contemplate not only the difficulty of the adverse economics facing small businesses in California, but also must calibrate the timing and stringency of regulation to the reduced emissions that have resulted from the poorer California economy.

Further, we recognize that the rule contemplates some type of a postponement of the effective date for the truck and bus retrofit and turnover requirements, however, the ARB has still failed to be specific about exactly how much of a postponement (and to what specific date) the requirements will be extended. Planning is essential to good business operations. Ambiguity and vagueness in your proposed regulation harms our ability to plan.

Finally, the provisions regarding early compliance credit, which is available for particulate matter retrofits, sounds good but has very little practical applicability because, as I explained in the beginning of this letter, there are no PM retrofit devices available. How can we get early compliance credit? In conclusion, from the standpoint of a small business, operating a small fleet of trucks, the ARB must continue to re-evaluate its proposed truck and bus regulation. It still is unworkable and undefined.

APTCO reserves the right to supplement or amend these comments during the comment period.

Sincerely,

A handwritten signature in blue ink that reads "Jim Bañuelos". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jim Bañuelos  
Manager  
APTCO, LLC