

December 2, 2010

Clerk of the Board
Air Resources Board
1001 I Street
Sacramento, California 95814
Submitted Using the Online Board Comments Submittal Form

Re: Comments on Proposed Amendments to Diesel Truck Regulations

Dear Board Members,

The Port of San Diego (Port) is submitting this letter in response to the proposed amendments to the diesel truck regulations.

The Port supports the actions and efforts of the California Air Resources Board (CARB) in reducing air emissions from diesel sources statewide, including those affecting communities adjacent to ports. Additionally, we support the proposed changes to the Drayage Truck Regulation. However, the proposed delay to the Truck and Bus Regulation creates an inequitable regulatory and financial advantage for trucks that do not visit ports. Therefore, the Port requests that CARB implement the Truck and Bus Regulation as soon as is feasible.

The Drayage Truck Regulation is currently addressing emissions from trucks accessing California ports. However, the postponement of the Truck and Bus Regulation creates a discrepancy in regulatory requirements between drayage trucks and other heavy duty trucks operating in California. This discrepancy may lead to increased "dray-off" activities, where compliant drayage trucks transfer maritime cargo to non-compliant trucks just off port property. While we support proposed changes to the Drayage Truck Regulation that attempt to address this issue, implementation of the Truck and Bus Regulation is the only way to prevent dray-offs in communities adjacent to ports without having to rely on enforcement.

Discrepancies between drayage trucks and other trucks may also make drayage trucks less competitive to receive the limited funding that is available through the state's Goods Movement Emissions Reductions Program. This is because earlier emissions reduction requirements for drayage trucks will reduce their cost-effectiveness in grant applications. In addition, truck owners that have already invested in upgrades to comply with regulations are at a competitive disadvantage to those who have not. Implementation of the Truck and Bus Regulation as soon as is feasible will help to level

Page 2

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the playing field for all truck owners and operators, and also for the ports that are committed to reducing air emissions.

The Port, like many smaller ports in California, does not have a typical drayage truck population. In San Diego, many trucks service our marine terminals only several times per year. Despite our unique operations, we are the only small port in California to adopt an ordinance banning non-compliant drayage trucks from entering our marine terminals. This action goes beyond regulatory requirements and we believe it demonstrates our commitment to reducing air emissions.

We appreciate the opportunity to provide these comments and ask that you give them your full consideration. If you have any questions, please contact me at (619) 686-7239.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Merk", with a long horizontal flourish extending to the right.

David Merk
Director, Environmental Services Department
San Diego Unified Port District

CH/jh

File: Clean Air Program

cc: David Merk, Michelle White, Cody Hooven, Irene McCormack, Commissioner Lee Burdick, Wayne Darbeau
Docs #432214